

# 2015

## ANNUAL REPORT



The Norwegian Mission of Rule of Law  
Advisers to Moldova – bilateral program  
implemented by the Norwegian Ministry  
of Justice and Public Security and  
financed by the Norwegian Ministry of  
Foreign Affairs

## FOREWORD

For every well-functioning democracy there is an absolute need for a developed and trustworthy justice system in order to secure prospects for positive development.

NORLAM's mission is to contribute to building good governance, rule of law in compliance with Moldova's European aspirations and human rights commitments. Citizens should benefit from an efficient justice system, including impartial and efficient courts, independent and objective prosecutors and an active defence aligned to ECHR values. The situation for inmates should be humanized and preconditions for reintegration into society improved. The rights of children in contact with the justice system should fulfil the international demands. NORLAM's efforts are anchored in the Justice Sector Reform Strategy 2011-2016.

In March 2015, NORLAM received a visit of a high level delegation consisting of the Norwegian Ambassador for Romania and Moldova, high officials from the Ministry of Justice and Ministry of Foreign Affairs of the Kingdom of Norway, assisted by representatives from the Norwegian Agency for Development Cooperation (NORAD) and International Security Sector Advisor Team (ISSAT). One important task was to address the question of continuation of NORLAM beyond 2016. Meetings took place with representatives of the Moldovan government, and the leadership of Moldovan justice institutions, international organizations and NGO's. Norwegian authorities decided to extend NORLAM's mandate to the end of 2019.

The political situation in Moldova in 2015 has been challenging, facing ad interim governments and weak parliamentary constellations. Due to this situation, the international donors' community has faced a limbo situation for the expected progress for certain areas, e.g. the prosecution reform, the establishment of the Children Victim and Witnesses' Centre, and the governmental appointed working group on humanization of the criminal policy has been on halt.

Although most of the international donors in the justice sector reform await political stability in the Republic of Moldova, ordinary practitioners in the judiciary, prosecution, legal profession, prison and probation still have to perform their role. For these reasons, it is more important than ever to continue to support key professionals in improving their capacity and performance.

On a regional level, throughout 2015, NORLAM has increasingly focused on finding mutual solutions based on the Norwegian support to the justice development in Romania, especially in the field of prison and probation. Moreover, the prospected initiation of a Norwegian Rule of Law Mission in Ukraine raises possibilities for mutual interaction. Therefore, NORLAM is warmly welcoming the eventuality of uniting forces and using the lessons learned from involvement in the justice sector in Ukraine, Georgia, and Romania.

**Jogeir Nogva,**  
**Head of NORLAM Mission**

## TABLE OF CONTENTS

Norlam and it's Working Methodology	3
Executive Summary	4
Commitment to Human Rights Protection, Rule of Law and Good Governance	5
Desired Impact: Rule of Law and Good Governance in Moldova	7
Current Situation in Moldova	9
Implementation of the Justice Sector Reform Strategy (2011-2016)	13
Aimed Outcomes in the Moldovan Justice Sector	14
Outcome I: Legal Professionals Correctly Apply ECHR	14
Outcome II: Relevant Specialists Apply a Multidiciplinary Approach towards Child Victims and Witnesses Based on the Best Interest of the Child	19
Outcome III: Law Making Authorities Adjust Legislation to Human Rights Commitments	22
Outcome IV: Prison Authorities Apply Individual, Crime Preventive Measures and Respect Inmates' Rights	25
Outcome: Goian Staff Applies Individual, Crime Preventive Measures and Respect Juveniles' Rights	27
Outcome: The Staff In The Rusca Prison Is Capable To Provide Better Work and Education for Female Inmates	29
Outcome V: The Probation Service Implements Non-Custodial Sanctions of Good Quality	31
Norlam Responding to Increased Needs	34
Cooperation Partners	38
Acronyms	40

## NORLAM AND IT'S WORKING METHODOLOGY

NORLAM is a sector program under the Norwegian Ministry of Justice and Public Security, Section for European and International Affairs, and is funded by the Norwegian Ministry of Foreign Affairs.

The initiative of the Norwegian Ministry of Justice to establish NORLAM according to a specific composition of selected active practitioners is unique in the international donor community. The following six features are considered to be important in meeting the challenging issues of the justice sector reform in Moldova:

**The chain of justice.** It is a challenging situation when adjusting one area in the justice system inevitable has impact on one or more of the others. Therefore, a broad approach is necessary to understand the impact and secure efficiency and progress. The composition of the Norwegian members is interdisciplinary; illustrating interaction in the chain of justice, represented by police and prosecution, defense attorneys, judges, prison and probation, all to meet challenges in the most efficient manner.

**Availability.** The NORLAM mission offers availability by its presence in the country, highly skilled permanent local legal officers and by developing long term cooperation as instruments for the requested needs for support.

**Implementation.** The Norwegian members are recruited to NORLAM among active practitioners from different legal fields with high ability to give advice on practical implementation issues, illustrated by our domestic solutions for further adjustments to Moldovan realities. We experience that implementation of international legal standards is far more complicated than merely adopting the legislation.

**Knowledge.** By closely cooperating with Moldovan authorities since 2007, NORLAM has gained valuable knowledge for developing and adjusting projects.

**Flexibility.** NORLAM's operations resides in the Mission's possibility to design and adjust projects and activities based on the concrete needs of our local counterparts, without facing a cumbersome and time consuming internal bureaucratic approval system. Moreover, NORLAM's initiatives derive from direct and current needs of the Moldovan people.

**Holistic approach.** In the process of implementing our projects and activities in the Republic of Moldova, NORLAM is fully aware of the need for sincere local ownership. Long lasting changes in attitude and mentality take time and efforts. A holistic and multidimensional approach to our counterparts by small steps and concrete and well-thought actions may, eventually, converge to desired results. This is done through legal expertise, capacity building and awareness-raising.

Clarifying NORLAM's **theory of change** in order to demonstrate how projects and activities link with one another, build consistency regarding the approach and build upon previous efforts, is an ongoing prioritized effort for the NORLAM staff. Yet, it is a major challenge to measure the outcome of seminars given their wide scope, the multitude of topics covered and the high number of participants attending. Moreover, despite the developments in the laws, changes in practice and thereby performance are slow to change. One of the challenges is lack of accountability measures.

## EXECUTIVE SUMMARY

2015 is the 8<sup>th</sup> year of NORLAM's presence in the Republic of Moldova to provide support in building the justice system adjusted to European human rights demands and best practices.

The human right resource group has been offered comprehensive support to develop their training skills. This year the members started to perform as trainers in the regions, educating legal professionals of the legal chain, thus ensuring sustainability and local ownership. The group has reached a level of increased capacity as trainers.

During 2015, the work to establish a Centre for assisting Children Victims and Witnesses of Crimes in Chisinau has been on halt much of the year. Firstly, due to the learning about constraint in the Moldovan budgetary system for shared costs in a mutual agreement. Secondly, because it turned out that the designated building for the centre was determined to be demolished. The ad interim Minister of Justice strongly expresses the need for the centre and puts effort into finding a new location. NORLAM will continue the cooperation with the Ministry of Justice on this important work, focusing on the best interests of the child.

NORLAM has continued to provide assistance to the Moldovan authorities in the law-drafting process, according to the needs deriving from the Justice Sector Reform Strategy 2011-2016. Comments and examples of the Norwegian legislation and best practice have been shared in working groups appointed by the Ministry of Justice. The adoption of many initiatives has been hampered by political instability. NORLAM will continue to deliver practical legislative advices to Moldovan counterparts focusing on implementation of the European standards.

NORLAM has established a close cooperation with the Central Probation office. Our mutual target – to increase the quality of non-custodial sanctions, is laid down in a project document and supported by other key partners. Primary outputs for the project are: support the implementation of cognitive programs and other crime preventive measures, advice in development of legal framework and training of probation staff. A key element has been to implement Motivational Interviewing (MI) as a basic-method in the probation service. Assessments show that MI is implemented amongst those trained. Probation staff reports that it has had an impact on the quality of the services provided.

A small scale pilot on Electronic monitoring has been initiated. Our input on the draft law amending legislation, regarding electronic monitoring was clearly stated in the informative note of the Ministry of Justice.

The cooperation with prison authorities was very fruitful this year. The challenges faced by Goian prison and the Department of Penitentiary Institutions (DIP) proved to be useful lessons learned for further development. NORLAM has had a direct communication with the imprisoned juveniles on a regular basis and facilitated activities for the juveniles. In Rusca prison for women, NORLAM supported the establishment of an open sector to promote the use of open facilities as solutions for reducing overcrowding.

## COMMITMENT TO HUMAN RIGHTS PROTECTION, RULE OF LAW AND GOOD GOVERNANCE

NORLAM's support shall contribute to the following general impact:

### MOLDOVA EXERCISES GOOD GOVERNANCE AND RULE OF LAW IN COMPLIANCE WITH ITS HUMAN RIGHTS COMMITMENTS

The issues of good governance as well as rule of law enforcement are given significant attention both at the international and European level. The interconnection between good governance, rule of law and sustainable protection of human rights has been made by the international community in a number of declarations and other global documents. Guarantees of human rights protection embedded in the ECHR, UN Human Rights Conventions and 2005 Millennium Declaration<sup>1</sup> and the EU Lisbon Treaty (2009) are all directly linked to good governance and rule of law enforcement.

### GOOD GOVERNANCE AS AN INTERNATIONAL STANDARD

Good governance refers to legitimate, accountable and operational ways of obtaining and using public power and resources in the pursuit of widely accepted social goals. Good governance is also the process whereby state institutions conduct public affairs and guarantee the realization of human rights in a conduct free of abuse and corruption. Good governance is regarded as an indispensable prerequisite for all human development and strongly linked to the rule of law. Good governance initiatives may reform legislation and assist institutions in implementing the legislation and moreover, enhance capacity building in institutions.

#### Key attributes of good governance

*UN Commission on Human Rights*, in Resolution 2000/64, identified key attributes of good governance, including transparency, responsibility, accountability, participation and responsiveness.

*Council of Europe* has developed 12 essential principles of good governance; these are *inter alia* ethical conduct, protection of human rights, transparency, the rule of law, sustainability and accountability.

### RULE OF LAW AS AN INTERNATIONAL STANDARD

The primacy of law is a fundamental principle of any democratic system seeking to foster and promote rights. This entails means of remedy enabling individual citizens to defend their rights.<sup>2</sup>

The EU and the Council of Europe both identify the principle of rule of law as being one of the "interrelated trinity of concepts"<sup>3</sup>. EU affirms 'respect for the rule of law...access for all to an

<sup>1</sup> UN General Assembly, *Resolution: 2005 World Summit Outcome*, A/RES/60/1, 24 October 2005, respectively paras. 11 and 119. The World Summit Resolution builds up on the *UN Millennium*

<sup>2</sup> UN Security Council, *Report of the Secretary-General: The rule of law and transitional justice in conflict and post-conflict societies*, S/2004/616, 23 August 2004, para 6.

<sup>3</sup> Council of Europe (Parliamentary Assembly), *Report of the Committee on Legal Affairs and Human Rights: The Principle of the Rule of Law*, Doc. No. 11343, 6 July 2007, para. 5. Memorandum of Understanding between the Council of Europe and the European Union, 23 M 2007.

independent justice system... and a government that governs transparently and is accountable to the relevant institutions on the road to sustainable development'.<sup>4</sup> This entails inter alia an independent judiciary, prison system respecting the human person and access to justice before independent and impartial courts<sup>5</sup>.

The rule of law is thus considered an essential element for all EU's Bilateral Agreements. TEU Article 21 makes clear that *the rule of law* is to be regarded as a guiding principle of *all* EU's foreign policy.

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## THE IMPLICATIONS FOR NORLAM

For NORLAM, these fundamental international standards and consensus draw the line for the program.

*An effective criminal justice system* is a key aspect of the rule of law, as it constitutes the mechanism to redress for victims and bring action against offenders. Effective criminal justice systems ensure investigating and adjudicating criminal offenses in a timely manner through a justice system that is impartial and non-discriminatory, and free of corruption and improper influence. Moreover, the rights of victims and the accused are effectively protected. The delivery of effective criminal justice also necessitates correctional system that reduces criminal behaviour.

Consequently, NORLAM can contribute to an effective justice system by engaging *the entire legal chain*.

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<sup>4</sup> European Commission, 'Governance in the European Consensus on Development – Towards a harmonised approach within the European Union', Brussels, 30 August 2006, COM(2006) 421 final, [http://ec.europa.eu/development/icenter/repository/COM\\_2006\\_421\\_EN.pdf](http://ec.europa.eu/development/icenter/repository/COM_2006_421_EN.pdf)

<sup>5</sup> European Commission, *Democratisation, the rule of law, respect for human rights and good governance: the challenges of the partnership between the European Union and the ACP States*, COM(98)146, 24 February 1998. See also the 2007 Lisbon Treaty (TEU), entered into force on 1. December 2009, Article 2



## DESIRED IMPACT: RULE OF LAW AND GOOD GOVERNANCE IN MOLDOVA

The Council of Europe in a report entitled 'Review of the Rule of Law situation: feasibility and methodology' suggested that operating '*rule of law review*' would enhance normative coherence and efficiency in the activities carried out by the Council of Europe.<sup>6</sup> For NORLAM, the following indicators are beneficial.

The World Bank has been at the forefront as regards the development of measurement tools to monitor the performance of national politico-legal systems over time including Rule of Law, Control of Corruption, Government Effectiveness. *In Moldova*, the aggregated indicator Rule of law improved in 2014 compared to 2013, with 46.6 and 42.7 respectively, out of 100 maximum. Government Effectiveness, on the contrary, declined (41.6 in 2013 to 39.9 in 2014).

The World Justice Project (WJP) is a non-governmental organization, dedicated to the advancement of the rule of law and which, contrary to the UN project, is concerned with all countries regardless of their political situation and level of development. Known as the *WJP Rule of Law Index*, this tool seeks to monitor the health of a country's institutional environment by providing data inter alia on the following dimensions of the rule of law. The WJP Index is also based on an understanding of what the rule of law entails as its drafters sought to strike a balance between the so-called thin and thick conceptions, which means that it incorporates both substantive and procedural elements. *In Moldova*, most of the dimensions measured under the Rule of Law Index remained unchanged, the overall score in 2015 is 0.48 (in 2013 it was 0.49 where 1.00 is best). For *absence of corruption* Moldova got the lowest score (0.28), while *order and security* factor is scored highest (0.82).

The Global Competitiveness Report by World Economic Forum analyses the effectiveness of public institutions in providing insight into the drivers of productivity and prosperity of a country. In Moldova, according to the report 2015-2016 prosperity is hindered by institution's performance and by the low level of innovation.<sup>7</sup> The effectiveness of public institutions is scored 3.0 out of 7 (best). This indicator has a downward trend, due to the low score for the sub-components: diversion of public funds (scored 2.3), public trust in politicians (2.1), and undue influence on judiciary (2.1).

The justice sector is involved both in the endemic corruption and indirectly in the banking scandal. This affects the public trust towards the state apparatus.

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<sup>6</sup> Council of Europe, *Review of the rule of law situation: feasibility and methodology* (prepared by Dr. Erik Wennerström in collaboration with the rule of law team at the Folke Bernadotte Academy and the Secretariat), DG-HL (2010) 21, 22 October 2010, at 21.

<sup>7</sup> <http://reports.weforum.org/global-competitiveness-report-2015-2016/economies/#economy=MDA>



## SPECIFIC IMPACTS

All impacts refer to *long-term change* in society. Measuring impacts represents difficult methodological challenges, since causal relationship between the project and the changes that have taken place in the society is very difficult to prove. Yet, it should constantly be assessed how the project may in the end result in sustainable changes with bonds to local ownership. Notwithstanding, the specific impacts in the Letter of Expectations 2015 are closely connected to NORLAM's performance outcomes, which are visible in the annual report at the result-level for the outcomes.

### **Improved treatment of child victims/witnesses in criminal proceeding as guaranteed by international instruments**

The present situation is rather a stalemate regarding enhancing proper child hearings in criminal cases. At the end of 2015, Moldova does not have a multidisciplinary support to children victim and witnesses. The law amendments in 2014, adopting separate child- hearings, have no doubt reduced the numbers of children being brought directly before the courts. As for now, there are 26 child-hearing rooms operable in the courts of provinces in Moldova. The prosecution in Chisinau, however, which investigates the highest number of crimes in Moldova, does not have a hearing room for interviewing children awaiting the establishment of the planned Children's Center, a desire that is highly requested by the prosecution.

The "repeated hearings" indicator was extracted from a report of 2013 which is not issued regularly. NORLAM decided to keep it as an indicator because it shows the "re-victimisation" problem. An idea could be to do an assessment ourselves and obtain the "average number of repeated hearings". The outcome levels in evaluated under outcome 2 in the report.

### **Citizen benefit from an effective justice system (impartial and efficient courts, independent and objective prosecution and active defense) aligned to ECHR values and principles**

This impact having the quality of big societal changes is almost impossible and not operational in NORLAM's result management. Noteworthy, the public trust in justice declined to 12% from 23% last year. This is a cumulative percent of respondents that have much trust and those that have some trust. The impact builds on performance outcome 1 and 3 in the result chain, which is thoroughly described in the report.

### **Better re-integration of offenders into society**

According to the situation in the 1<sup>st</sup> October 2015, there was a total population of 6179 finally convicted prisoners, of which 2636 persons are convicted for the first time (42.6%). This means that the rest 57.4% are recidivists. The specific impact can be reach by results for outcome 4 and 5.

## CURRENT SITUATION IN MOLDOVA

### KEY FACTS ABOUT MOLDOVA

<b>Population</b>	<b>2.9 million</b>
<b>Life expectancy</b>	<b>71,5 years</b>
<b>GDP per capita</b>	<b>2229.2\$</b>
<b>Government</b>	<b>Parliamentary Republic</b>
<b>Inflation rate</b>	<b>13.6%</b>
<b>Prison population rate</b>	<b>215</b>

Stuck between Romania, a member of the EU and NATO, and Ukraine, Moldova is in a buffer position. A change in the country's current western orientation would have strategic consequences for all of Europe.

The social and economic situation of the country is considered one of the main challenges for the EU's assistance policy. The likelihood for Moldova to become a serious candidate for a European Union member state in the near future is deteriorating, due to the ongoing political uncertainty and the domestic conflict over the pro-Russian breakaway region Transnistria.

Currently, Republic of Moldova deals with maybe the biggest economic problems since the declaration of independence in 1991. The rule of the oligarchs, widespread corruption, inefficient and easily influenced public institutions, lack of transparency and vulnerability of the decision-making process and governance intensify the country's already existing drawbacks.

### Poverty

The Republic of Moldova has been afflicted by several crises during the past decades, both political and economic, resulting in the country often being quoted as being one of the poorest nation in Europe. The world-known fraud of approx. 1bl US dollars from three banks, of which one state bank during 2014 (amount which equals half of country's state budget) has had dramatic economic and social consequences. The state guarantees used to grant emergency loans to the three banks represent 9% of GDP and 34% of state budget revenues<sup>8</sup>. This will continue to be a heavy burden on the public budget hampering future development. Moldova's ability to pay pensions, salaries and social benefits in 2016 is at risk.

The absolute poverty rate remains high - 11.4 % (2014) of population living below national poverty line. As much as 82% of the poor reside in rural areas and faces deprivations such as access to safe water, sanitation, education and health services.

Moldova is ranked 107 in the world on the UN's Human Development Index 2014, with a value of 0.693. It's neighbouring countries Romania and Ukraine are ranked 52 and 81 respectively.

Poverty deeply affects the situation of the legal institution due to the limited allocated resources. In USAID ROLISP report *"Assessment Resort of the Courts of law in the republic of Moldova"*, from

<sup>8</sup> State of Country Report 2015, Expert Grup, <http://expert-grup.org/en/biblioteca/item/1145-rst-2015&category=182>

September 2015, the conclusion are *inter alia* that in general the infrastructure of the courts - buildings, court room, public spaces - are in a poor condition. Moldova's ability to provide prisoners with basic needs (food, heating, etc.) is also at risk.

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### Corruption

Corruption at all levels of society has been affecting Moldova constantly for the past decades. State institutions are not robust and independent enough to fight this phenomena, and thus vulnerable to various forms of interference due to the hidden interests.

The Corruption Perceptions Index 2015<sup>9</sup> by Transparency International ranked Moldova 103 out of 168 countries. Moldova got lowest score in the last four years, 33 on a scale of 0 (highly corrupt) to 100 (very clean) for perceived level of public sector corruption.

The World Bank Governance Indicators, aggregate indicator: Control of Corruption decreased from 32.1 in 2012 to 20.7 in 2014 where 100 is best.

According to a recent sociological research on perception of corruption<sup>10</sup>, ¾ of questioned respondents consider that corruption generates poverty. According the representatives of households the most corrupt state institution is Parliament, while according to businessman, it's Judiciary. The respondents claim that unofficial payments to medical institutions are done on their own initiative, while in Courts and Customs – under pressure. 96,7% of the population appreciate the level of corruption as being high.

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### Weak statehood

Weak statehood and disintegration has been identified as one of the main problems in Moldova. Since 1992, the self-proclaimed region of Transnistria has been running as a *de facto* independent state and renegade territory, without international recognition, but with Russian economic and military support. The still unresolved status of the region has posed significant development challenges and can be seen as major obstacle for human wellbeing for population on both banks of the Nistru River.

Moreover, the Gagauz population in southern Moldova, a predominantly Russian-speaking Turkic orthodox minority group supports Russia and opposes close ties with the EU.

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### Internal politics

Democratic progress has been slow in Moldova. Throughout 2015 Moldova has experienced serious political crisis. The country has reached a level of only relative stability, prompting analysts to speak of a "*prolonged transition*".

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<sup>9</sup> <http://www.transparency.org/cpi2015>

<sup>10</sup> Sociological Research: Corruption in Moldova: perceptions and own experiences of households and business by Transparency International – Moldova with support of UNDP, financed by the Norwegian Ministry of Foreign Affairs.

Three banks of Moldova were involved in severe fraud that led to the disappearance of app. 1 billion dollars, equivalent to more than one-eighth of the country's GDP. According to the Organised Crime and Corruption Reporting Project, Moldovan banks were also part of a scheme which, in the seven years up to 2014, laundered Russian money using a British shell company and a Latvian bank account.

After 2014 parliamentary election the three “pro-European parties” failed to form a coalition for a majority government. Democratic Party of Moldova (PDM) and the Liberal Democratic Party of Moldova (PLDM) failed to come to an agreement with Liberal Party (LP), hence the minority government was formed which was backed up by the Communist Party. Only on 30 July, 2015, a new pro-European majority government was sworn in ending the uncertain political discourse. On October 29<sup>th</sup> the coalition of so-called “pro-European” disjointed, determining the country to face another ad interim period.

Thus, the formation of the Government is particularly difficult. This goes against the fundamental democratic principle; separation of powers in the state. Along with the crisis in the banking system, it leads to loss of people's trust in key state institutions. At the same time, the constant uncertainty about the potential early elections due to government dismissal delays the implementation of reforms.

Subsequently, according to the November barometer of the public opinion, the public trust in Parliament reached the lowest level of 6% and the trust in Government the level of 7%.

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#### Civil Society

*Civil society* is weak and its voice is ignored. Moldova is included in the list of so-called *flawed democracies*. However, the public's reaction to the recent banking scandal brings some optimism for the future. While Moldovan civil society has been rather passive and weak in the past, on this occasion it rose up and demanded a government resignation while asking for structural changes.

All the indicators analysed by Freedom House in their Report Nations in Transit 2015<sup>11</sup> remained unchanged, but should be noted that this reports reflects the situation in January – December 2014. The political regime in Moldova is classified as Transitional Government or Hybrid Regime, with a democracy score of 4.8, where 1 is the highest level of democratic progress and 7 the lowest. Among the seven indicators analyses in this report, Civil society has the best score (3.25)<sup>12</sup>.

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#### Gender

Gender equality has improved in Moldova in recent years. According to the Global Gender Gap Report by World Economic Forum, Moldova is ranked 26 out of 145 countries in 2015, with an overall score of 0.742, where 0.00 is inequality and 1.00 is equality. Moldova got the maximum scores for enrolment in education, life expectancy and participation of women as professional and technical workers. On the contrary, lowest scores are given for political empowerment of women.

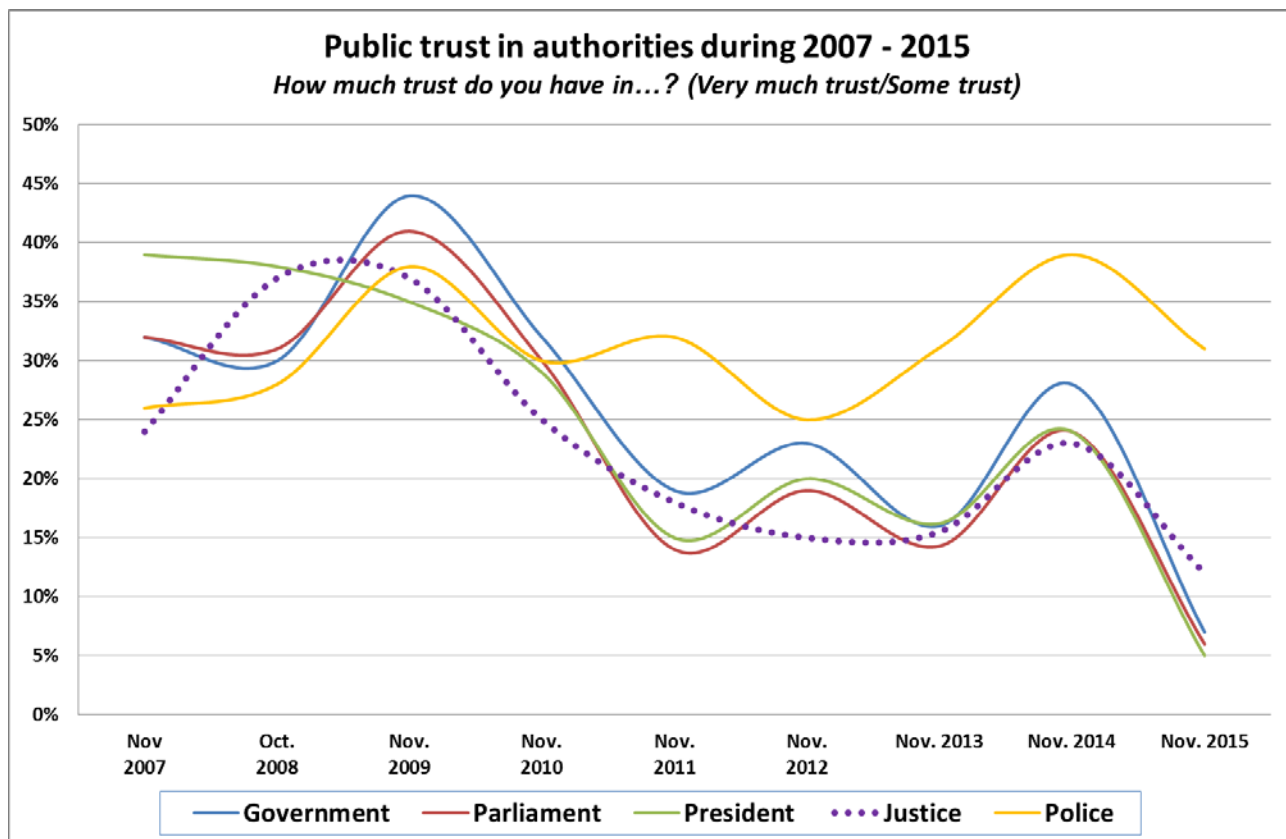
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<sup>11</sup> <https://freedomhouse.org/report/nations-transit/2015/moldova>

<sup>12</sup> Electoral Process, Civil Society, Independent Media, National Democratic Governance, Local Democratic Governance, Judicial Framework and Independence, Corruption

## Labour migration

Labour migration has become a mass phenomenon in Moldova, with transmittals of Moldovan guest-workers. This is causing a decrease in Moldovan population. According to the preliminary data of the 2014 headcount carried out by the National Bureau of Statistics, the number of inhabitants in Moldova is 2,9 mln, going down from 3,5 mln (2004). Main destinations are European Union and Russian Federation. The proportion of old people and children who stay behind is growing, and the workforce left in Moldova is shrinking. Brain drain is considered to be a major problem cause for ineffectiveness of public institutions<sup>13</sup>.



Source: Institute of Public Policies, Barometer of Public Opinion

<sup>13</sup> State of Country Report 2015, Expert Group, p. 6.

## IMPLEMENTATION OF THE STRATEGY FOR JUSTICE SECTOR REFORM (2011-2016)

The EU-Moldova Association Agreement (AA), initialled in November 2013, sets the new framework for cooperation. Core reforms include sectors such as public governance, justice reform, rule of law, human rights, civil society development, law enforcement and economic recovery. The AA was signed on the 27<sup>th</sup> June 2014, replacing the previous Partnership and Cooperation Agreement.

In 2011, the Republic of Moldova adopted a Justice Sector Reform Strategy, followed by an Action Plan for its implementation, which will expire in 2016. The overall objective of this Strategy is to build a justice sector, which is affordable, efficient, independent, transparent, professional and accountable to society, that meets European standards, ensures the rule of law and the observance of human rights and contributes to safeguarding society's trust in justice.

Due to political instability and succession of three ministers of justice during 2015, the majority of the draft laws and initiatives prepared by the Ministry of Justice and presented to the Government, stemming from the Action Plan for the implementation of the Strategy were sent back to the drafters.

Moreover, the Parliament did not manage to pass the draft law on prosecutor's office, which actually stopped any incentive for reforming the institution and the country did not progress with the implementation of the legislative and regulatory framework in fighting corruption. These are the reasons why the third instalment of the European Union budget support financial assistance planned to be disbursed for 2015 was put on hold.

In April 2015, the Ministry of Justice, with the assistance of the EU Project on Support to the Coordination of the Justice Sector Reform in Moldova (EUTAP 1) has started to identify the format and the framework of the future policy document. Part of this process, the following challenges of the current Strategy were mentioned:

- need in improving the reporting system of the Moldovan institutions;
- complexity of the justice sector – renders it difficult to track and evaluate changes, especially since one sub-sector may be affected by several others;
- poor local ownership – the leaders of the preparation process did not pay sufficient attention to building stakeholders' capacities for monitoring the process;
- staff turnover and workload – dissuade or prevent staff from routinely collecting and analysing the information on the progress in the justice sector.

Throughout 2015, the EUTAP 1 has put efforts to improve the donors' coordination mechanism – by creating a web coordination platform, which includes the necessary information on the responsible implementing stakeholders, cooperating partners and civil society institutions. The EU Project initiated a process of evaluation of the level of accomplishment of the actions in the Action Plan, with the help of other representatives of donors' community. These assessments will also contribute to identifying best options for further efforts to be taken in the justice sector reform. Thus, NORLAM has carried out an assessment of the specific intervention area 2.5.1. of the Action Plan.

### OUTCOME I: LEGAL PROFESSIONALS CORRECTLY APPLY ECHR

#### WHY: UNSACTIFACTORY IMPLEMENTATION OF ECHR

Currently, the laws in Moldova are generally in accordance with international standards, and thereby the country is fulfilling core responsibilities under the Strategy's Action Plan in the Justice Reform. On a performance level, the implementation of the law, applicability and terms of appropriateness, however, collide with *mala practices* conducted by the judiciary, prosecution, police and prison.

Harsh punishments and inhumane or degrading treatment of detainees are still major problems, and appear as setback to the previous Soviet system of justice. Prison population has now raised drastically, due, among other things, limited use of alternative to prison and release on parole. The prison population rate is 215 according to the World Prison Brief by Institute of Criminal Policy Research. The prison population total is 7 643 at 1<sup>st</sup> of July 2015, based on an estimated national population of 3.55 million from Eurostat figures. In the top of European countries with highest prison population rates, Moldova ranks the 8<sup>th</sup>. Average length was 10 served years in prison<sup>14</sup>. Moreover, a stricter regime as laid down in enforcement code, has been implemented retroactively, probably not in compliance with ECHR Art. 5 and 7.

Essential fair trial standards - such as well-reasoned judgments- are not sufficiently operated. In order to ensure fair trials, the judiciary introduced a random case allocation system and audio recording of court proceedings. In April 2014, a single court portal was introduced to increase the transparency of the judiciary. Yet, for now, there are allegations in the public domain that the new allocation system was misused.

The government adopted a law on judges' disciplinary liability in July 2014. The law ensures clear separation between ethical and disciplinary liability, defines grounds for sanctioning, transparency procedures, sanctions and impartiality of the Committee on disciplinary liability. Yet, this tool does not have the desired effect. It is easier to change the law than to change judicial practices, because it involves *changing the legal culture*, particularly among judges.

Consequently, support from international institutions and civil society organization is still crucial for the Moldovan authorities' efforts and probability to fulfil responsibilities under the Strategy's Action Plan. Below is a brief survey of outcome indicators, which in our opinion highlights the need to reach the performance level.

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<sup>14</sup> According to statistics of DIP based on releases from prisons in 2015. Moreover, half of the detainees were released after serving full term.

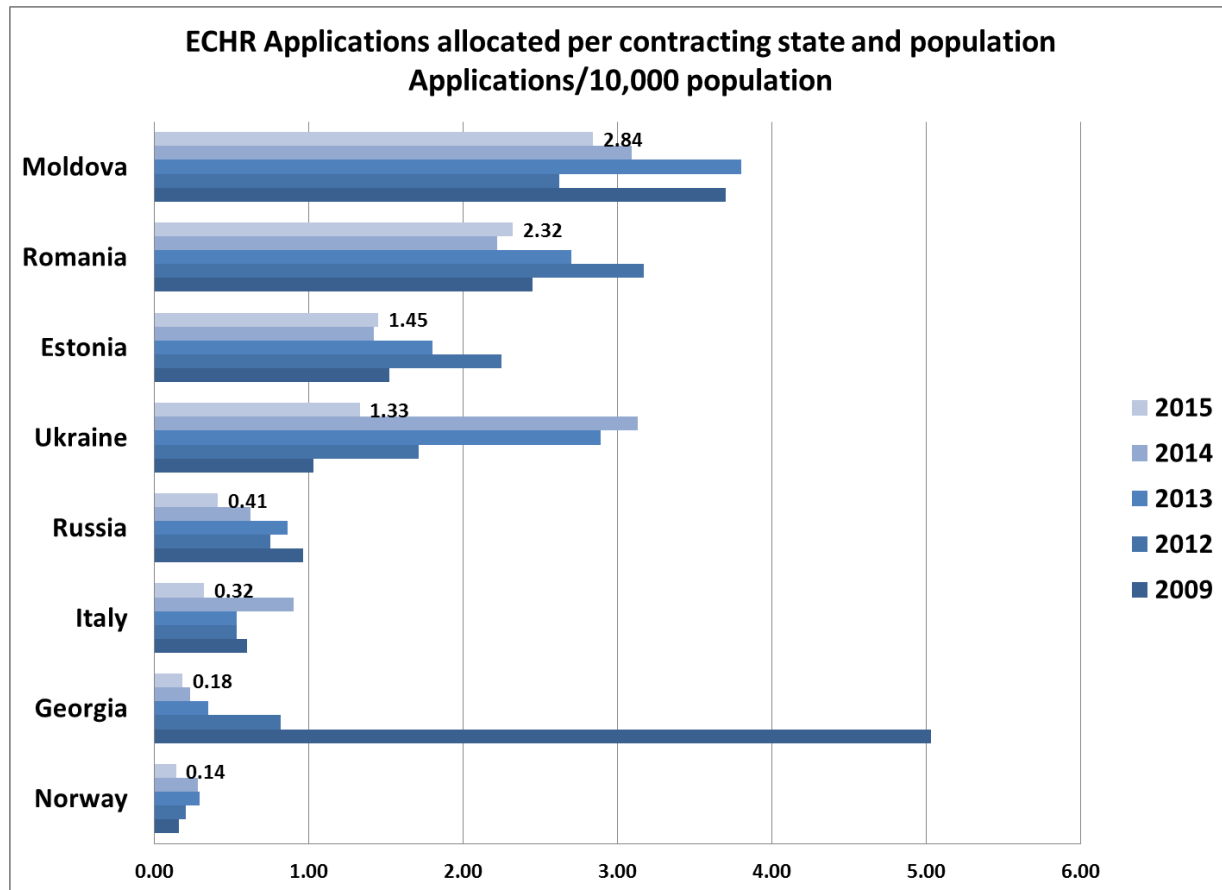


## RESULT INDICATORS

According to the Letter of Expectations 2015, the given indicators are ECtHR decisions against Moldova and number of complaints by the Ombudsman.

### ECtHR

With more than 1,000 applications submitted to the European Court of Human Rights (ECtHR) every year, Moldova is one of the countries with highest number of applications per capita. As of 1 July 2015, 1357 applications are still pending before the ECtHR. In 2014, the Court dealt with 1366 cases, of which 1341 were declared inadmissible or struck out. ECtHR has delivered in total 297 judgments in Moldovan cases, 24 of them were delivered in 2014. The judgments refer to various types of ECHR violations suggesting complex systemic errors related to ensuring the observance of human rights and the functioning of the courts.<sup>15</sup> ECHR articles most often violated are art. 6 ECHR, the right to a fair trial, and art. 3 ECHR, prohibition of torture, inhuman or degrading treatment.<sup>16</sup>



<sup>15</sup> [http://www.echr.coe.int/Documents/CP\\_Republic\\_of\\_Moldova\\_ENG.pdf](http://www.echr.coe.int/Documents/CP_Republic_of_Moldova_ENG.pdf). Statistics for 2015 is not yet available.

<sup>16</sup> The types of violations that are found most frequently by the ECtHR are the following: the non-execution of domestic judgments – in 64 judgments, violation of the right to an effective remedy – in 46 judgments, inadequate investigation of cases of ill-treatment and deaths – in 37 judgment, quashing of final judgments – in 28 judgments, detention in poor conditions – in 27 judgments, ill treatment or excessive use of force by state representatives – in 23 judgments and insufficient reasoning of arrest warrants – in 18 judgments.

The Moldovan Government was obliged to pay totally over EUR 14,100,000, of which EUR 225,271 - based on 24 judgments from 2014 and EUR 325,600 - based on 19 judgments from 2013.<sup>17</sup>

Insufficient observance of the ECHR standards and deficient executions of ECtHR judgments at the domestic level is the main reasons of the high number of applications pending before the ECtHR.

### The Ombudsman

The number of complaints regarding *access to justice* fell from 368 in 2013 to 265 in 2014. In the most recent report (2014) the Ombudsman made following assessment of the access to justice:

*... In 2014, the issue of respect for the right of access to justice was in the attention of the National Ombudsman Institution. That is because the alleged violation of this right remains the most current issue addressed by the petitioners. In particular, delays in the examination of cases, infringement of the process, disagreement with the pronounced sentence/judgment, non-enforcement of court decisions are among the complaints.*

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#### WHAT: SEMINARS FOR JUDGES, LAWYERS AND PROSECUTORS

NORLAM is providing seminars and trainings on relevant ECHR topics, such as fair trial, efficient and impartial trials, judicial ethics, interaction between justice actors and in general fundamental ECtHR standards. NORLAM supports the National Institute of Justice in the choice of relevant topics, delivery of trainers and logistical support for its seminars and training courses. In 2015, NORLAM arranged 16 seminars in total, having **396 professionals trained**. NORLAM provides a practical approach using the professional experience from legal experts with emphasis on fair trial in full compliance with ECtHR case law and ECHR standards. The methodology has been interactive lectures, group work, mock trials, and plenum discussions.

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#### WHAT: THE HUMAN RIGHTS RESOURCE GROUP

The idea is a durable team of local legal experts within the whole legal chain that would represent an important basis in the field of human rights for the legal community of Moldova, and a corrective to lack of change in practice. The group was created in September 2013; comprising 23 members. The group had been offered comprehensive training in human right implementation, with special focus on ECHR Art. 6 and the rights of vulnerable categories. From the establishment until the end of 2015, its members have participated in 10 trainings on various topics and a study trip to the Strasbourg Court. The members of the Resource Group are supposed to continue as trainers, educating legal professionals in the provinces, thus ensuring sustainability.

In autumn 2015, the Resource Group started to deliver trainings coached by Mr. Nicu Cretu<sup>18</sup>. NORLAM organized an internal seminar on the topic "*ECtHR practice on freedom of expression for justice*

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<sup>17</sup> LRCM, Report, Execution of judgments of the European Court of Human Rights by the Republic of Moldova: 2013-2014.

*stakeholders, Strengthening and practical application of teaching skills, Contact with mass-media".* During the seminar, delivering trainings through panel discussions was decided upon. The first pilot seminar was held in Cahul on 11 December on the topic: *Fighting domestic violence. Application of the protection order. Advantages and challenges*, with attendance 5 members (trainers) and 27 participants from the region (8 judges, 7 prosecutors, 12 lawyers). The second pilot was conducted on 18 December in Balti on the topic *Access to justice of persons declared incapacitated*, with attendance 6 members (trainers) and 33 participants from the region (13 judges, 10 prosecutors, 10 lawyers).

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## RESULTS:

The role of NORLAM is largely to raise awareness on human rights issues, change attitude and practice/behaviour across the criminal justice chain and to promote the exchange of experiences and interconnections within the legal society.

The outcome, *"Legal professionals correctly apply ECHR"* is a performance-outcome important to reach the aimed specific impact – citizen benefit from an effective justice. An increase in training seminar and raised competence, however, does not itself ensure changed practice. The critical challenge is *the application of the law* - which would be the most suitable indicator at the outcome level, but currently, not available. For example, judges are not held internally accountable for flaws in their verdicts in relation to current legislation, and they keep on neglecting to substantiate their decisions. Hence, NORLAM plans to use *cascade -seminars*, with the same or targeted participants and tests during the seminars. OSCE will launch in spring 2016 a broad evaluation of their training programs at the National Institute of Justice (2007-2015), using interviews and tests, a model that NORLAM believes is suitable also for evaluating our training courses.

### **1. Better knowledge of application of ECtHR case law in national practice, and improved ability to reason decisions**

*Regarding the achievements of NORLAM's multiple seminars for judges, prosecutors and lawyers*, as for now we can assume they have resulted in the professionals being better trained in the application of ECtHR case law in national practice, and improved their ability to reason their decisions. Furthermore, their capacity has been enhanced through the use of the various templates and guidelines developed by NORLAM. Simultaneously, the many seminars and training courses facilitated by NORLAM have provided a platform for dialogue and exchange of ideas amongst legal professionals regarding their own practice and possible contradictions in how they work. NORLAM's mixed seminars bring together legal actors throughout the criminal justice chain to discuss critical aspects that have relevance across the different professions.

The expertise, facilitation, quality and methodology used have generally been very well received. The seminars provide a forum for discussions and change regarding the Moldovan justice system by involving a wide range of legal actors. There has been a common acceptance of the utility of this initiative. Overall, the combination of seminar designs performs a comprehensive approach to advocacy and learning. By

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<sup>18</sup> Director at Innovative Solutions and consultant at the Open Government Institute

introducing evaluation schemes, NORLAM has started the process to move on to result on a performance level.

## **2. Increased capacity in training of the Human Rights Resource Group**

The Human Rights Resource Group has reached a level of increased capacity as trainers. On a performance level, the members are developing to become valuable instruments for training of legal actors in the provinces, with emphasis on local ownership, practicality, applicability and sustainability. The participants in the pilots highly appreciated the performance of the trainers and the practical approach. The participants gave high scores to the trainers and valued the proposed format of panel discussions, with its interactive attitude. Many of them asked for more seminars of the kind in the regions.



*Trainers of the Resource Group in Cahul pilot seminar*

## OUTCOME II: RELEVANT SPECIALISTS APPLY A MULTIDISCIPLINARY APPROACH TOWARDS CHILD VICTIMS/WITNESSES BASED ON THE BEST INTEREST OF THE CHILD

### WHY: CHILDREN VICTIMS AND WITNESSES SUFFERING FROM CRIMINAL PROCEEDINGS

In recent years, in the Republic of Moldova, there has been an increased emphasis on children in contact with the justice system. Back in 2013, NORLAM identified severe shortcomings for children victims and witnesses in the criminal proceedings, typical criminal cases concerning children suffering from sexual abuse, trafficking and domestic violence. This implied an unsatisfactory enforcement of international demands in Moldova<sup>19</sup>. The number of crimes committed against children increased from 748 in 2011 to 1073 in 2014.

### WHAT: PROMOTING A MULTIDISCIPLINARY SUPPORT TO CHILDREN VICTIMS AND WITNESSES BY ESTABLISHING A CHILDREN CENTRE

To meet the requirements of the international instruments mentioned above, NORLAM suggested to the Moldovan authorities a project idea – to establish a Centre for Assisting Children Victims and Witnesses of Crimes in Chisinau. The Centre should provide a prompt and well-coordinated multidisciplinary approach in preparing and organizing the hearing of the child between the judge, prosecutor, defence attorney, interviewer, social assistant and other relevant specialists, ensuring a qualitative collection of evidences, including forensic. At the same time, the centre should provide health assistance to the child victim and witness and avoid re-victimization/traumatization of the child. This comprehensive multidisciplinary mechanism should be materialized in form of a centre located in Chisinau, offering a child friendly environment and in the best interest of the child.

Substantial work has been carried out to develop a project proposal to reach the objectives of establishing and running the Children's Center. The proposal was met with gratitude and approval by highest state authorities in Moldova. For the purposes of the project, amendments in the legislation were accepted by the parliament in August 2014. Furthermore, in October 2014 a house in the center of Chisinau was transmitted through Governmental decision from the General Prosecutor's Office to the Ministry of Labour, Family and Social Protection. However this house requires a serious renovation.

The final mutual obligations between NORLAM and Moldovan authorities was about to be formalized in a Common Activity Agreement in 2014, but entered 2015 without being signed because Moldovan authorities failed to identify funds for the renovation costs.

As of June 2015, identification of the renovation costs was the final issue before the agreement could be signed. However, the document was amended, by switching some of the financial obligations of the parties due to legislative domestic constraints.

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<sup>19</sup> To be mentioned enforcement of important child protection instruments as the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual abuse (Lanzarote Convention), United Nations Convention on the Rights of the Child, Guidelines of the Committee of Ministers of the Council of Europe on Child Friendly Justice, Convention on Preventing and Combating Violence against Women and Domestic Violence, and the European Convention on Human Rights.

Nevertheless, at the time for expected signing of the agreement in September 2015, the Ministry of Labour, Family and Social Protection, informed that the designated building should be demolished.

Moreover, the new Government that was appointed, turned out to be in force only for a 3 months term. However, the new Minister of Justice was open to the project idea. In the end of 2015 a new governmental crises took place and since 30 October 2015, the government only has ad interim functions. Five prime-ministers alternated during 2015 (including interims) and three ministers of justice. The volatile political situation has been a challenging circumstance for progressing.

In the second part of 2015, NORLAM has prepared to provide the Moldovan counterparts trainings by taking part in the daily running of the Children Centre in Aalesund, Norway. Further, a local prosecutor, judge and the head of the centre are ready to illustrate the multidisciplinary approach. The head of the centre is available to come to Moldova to offer support and further descriptions of the demands of the locations in establishing a centre in Chisinau. The judge in question was the member of the legal committee for the most recent amendments in the Norwegian legislation regarding hearing of children, and will come to Moldova in the end of May 2016 to share Norwegian experiences with Moldovan peers.

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#### RESULT:

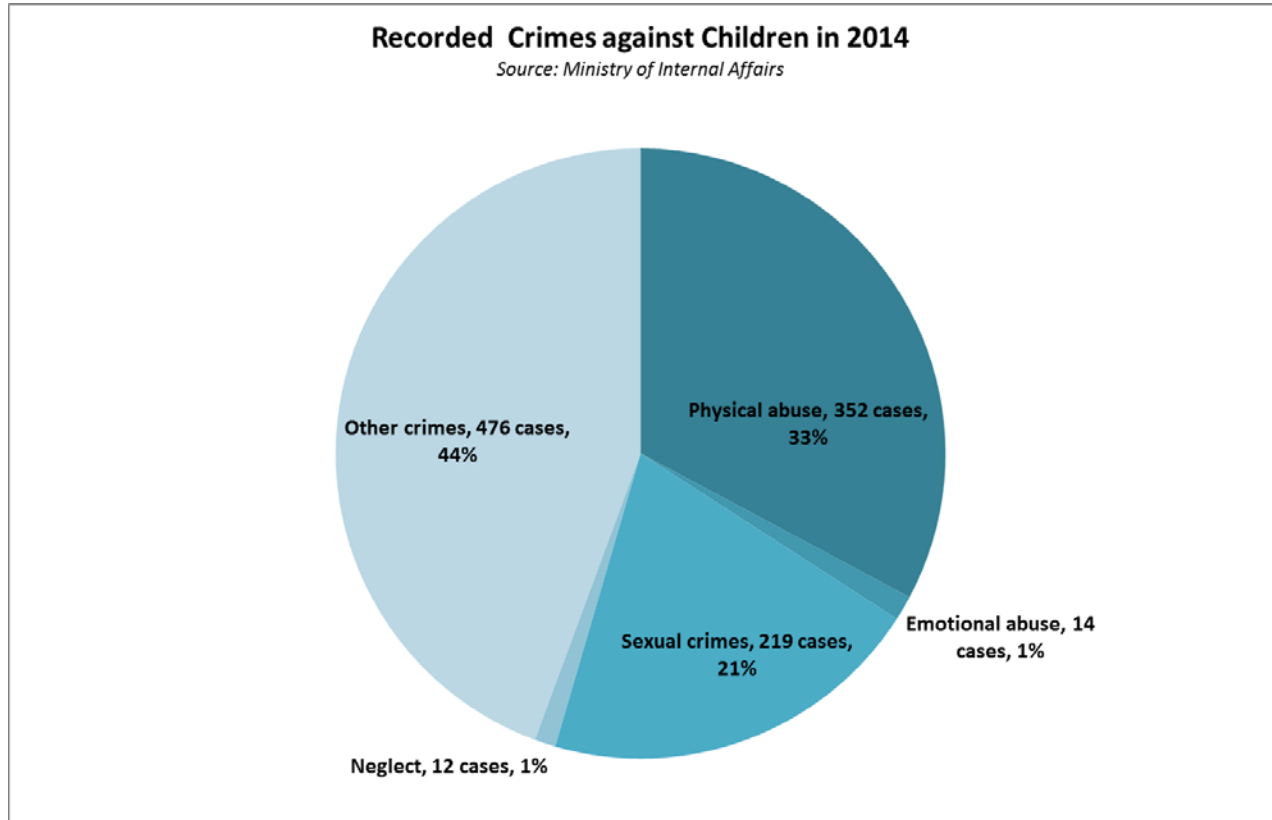
The NORLAM initiative to have a well-coordinated approach towards Moldovan counterparts and international cooperating partners for the hearing of children in criminal cases has had a positive impact on Moldovan authorities by determining a positive change in attitude and understanding for the special needs for children in contact with the justice system as a highly vulnerable group. A working group was create by the Ministry of Justice, which involved representatives of the Ministry of Labour, Social Protection and Family, State Chancellery, General Prosecutor's Office, Ministry of Internal Affairs, Ministry of Health, Ministry of Education and representatives of two NGOs – La Strada and the National Centre for the Protection against Child Abuse (CNPAC) to further address issues of this vulnerable category of children.

Throughout 2015, the authorities have created special interviewing rooms in the regions – within prosecutor's offices and police institutions and courts for facilitating interviews in absence of the abuser. UNICEF, together with CNPAC are carrying out trainings for interviewers, since NORLAM had expected to first establish the Center with trained staff in Norway, and then follow up the training of interviewers based on the Norwegian model of skilled investigators.

As of end of 2015, Moldova does not have a multidisciplinary support to children victims and witnesses. The prosecution in Chisinau, which investigates the highest number of crimes in Moldova, does not have a hearing room for interviewing children, awaiting the establishment of the planned Children's Center, a desire that is highly requested by the prosecution. NORLAM is preoccupied about the usefulness of existing interviewing rooms and the quality of the hearing process, having in mind some unfortunate Norwegian experience in this domain.

NORLAM will give the highest priority to meet the demands for children as an especially vulnerable group by continuing to work on establishing a multidisciplinary approach towards victims/witnesses

based on the best interests of the child. The center should promote, establish and replicate the best standards for these children around the country.





## OUTCOME III: LAW MAKING AUTHORITIES ADJUST LEGISLATION TO HUMAN RIGHTS COMMITMENTS

### WHY: NEED FOR IMPROVED LEGISLATION

Over the years, the Moldovan legislation has experienced a considerable amount of amendments. Many new laws in different fields were adopted. However, in certain areas, the laws still lack clarity and compliance with international and European standards. Certain shortcomings are only identified in the process of implementation, which may prove ineffective as well.

### WHAT: PROVIDING LEGAL EXPERTISE

During 2015, NORLAM Mission provided the comments to the following draft laws, internal regulations and other relevant documents based on the concrete requirements of the Moldovan authorities, deriving from the Justice Sector Reform Strategy 2011-2016.

#### **Codes of Ethics adopted by professional unions**

1. The Code of Ethics for Judges was adopted on 11 September 2015 by the decision no. 8 of the General Assembly of Judges.  
NORLAM was invited as a member of the drafting group and submitted a comprehensive note on the Norwegian experience in the field.
2. The Code of Ethics for Prosecutors was adopted on 30 July 2015 by the decision no. 12-173/15 of the General Assembly of Prosecutors.  
NORLAM submitted a detailed note with concrete proposals to amend the draft. One of them, related to the principle of correctness, was accepted and introduced in the final text.
3. The Code of Ethics for Lawyers – was not yet adopted. The NORLAM expert was a member of the drafting group, together with other representatives of the lawyers' community. The process was coordinated by ABA ROLI, with the support of the Council of Europe, which contracted an international expert to perform the expertise of the document. At the same time, the draft was discussed on several occasions with the Ethics and Discipline Committee of the Bar Union. It is expected that the document will be adopted at the next General Assembly of the Lawyers.

#### **Internal regulations**

1. Comments on the Guidelines on handling cases involving children victims/witnesses of crimes. The Guidelines were adopted by the Order of the General Prosecutor no. 25/25 of 03 August 2015.

#### **Drafts not sent to the Government**

1. Comments on draft law amending the Contravention Code and the Criminal Code (mainly art.349 of the Criminal Code – Threat or violence committed against an official or a person who fulfils civic duties). Among the proposed amendments was to criminalize the insult of an official

person; a public person or his/her close relatives, manifested by deliberate insult of its/their honour and dignity in connection with the exercise of their functional duties, expressed verbally, in writing or by means of communication. The authors highlighted the need to harshen the sanctions.

The NORLAM expert recommended to exclude the “relatives” from the circle of protected persons and to exclude the minimum level for the punishment with imprisonment. At the same time, NORLAM provided the authors with the relevant Norwegian legal provisions and practices. At the moment, the draft law is within the Ministry of Internal Affairs.

2. Notes for the working group on the humanization of the criminal policy and the consolidation of the compensation mechanism for the victims of degrading treatment, established by the Ministry of Justice.

During the period May-June 2015, NORLAM experts submitted three notes related to the above-mentioned subject. The last and most comprehensive note was sent on 19 June 2015, describing the identified problems and suggesting sustainable solutions to reduce the number of inmates and to ensure their better treatment and better conditions of detention.

The working group was to resume its work in autumn, but there were no meetings announced up to date.

3. Comments on draft law on compensation of victims of crimes.

NORLAM supported in principle this legal initiative and submitted several comments. The draft law is still within the Ministry of Justice and, apparently, none of the NORLAM’s suggestions were accepted.

4. Comments to the legislation on special investigative activity.

In July 2015, the Ministry of Justice established a working group in order to amend the relevant legislation in the field. All the stakeholders were invited to submit their proposals. The Ministry of Justice held separate meetings with the subjects engaged in special investigative activity and presented proposals. As of now, no final draft was presented for discussions within the working group.

5. Comments on the draft law amending the Constitution regarding the judiciary.

This initiative was launched in order to implement specific provisions of the Action Plan for the implementation of the Justice Sector Reform Strategy (actions 1.1.6. point 6 and 1.1.9. point 3). The Ministry of Justice fully accepted one of the NORLAM’s proposals, and partially accepted another. However, the suggestion to exclude the Minister of Justice as an *ex officio* member of the Supreme Council of Magistracy was not accepted.

## **Drafts sent to the Government**

1. Comments to the draft law to amend and supplement the law on legal profession.

NORLAM had no specific objections regarding this draft law, but for several small comments, one of them being the mandatory remuneration of intern lawyers. This was not, however, taken into account.

All draft laws and regulations that were sent by relevant authorities to the Government for approval, will be sent back to the stakeholders, according to the law-making legislation, after the investment of the new Government.

### **Drafts sent to the Parliament**

1. Comments on whistle blowing draft law.

NORLAM supported this initiative and submitted to the Ministry of Justice a document comprising relevant Norwegian legislation and several comments on the draft law. Apparently, these suggestions were not taken into account.

2. Comments on the draft law amending integrity testing law.

In its comments, NORLAM noted with concern that even if the new draft fixed some of the problems pointed out at the initial adoption of the law (in 2012), there are still serious miscarriages, one of them being the persistence of the potential disciplinary or criminal liability following the integrity testing.

Another aspect pointed out by the NORLAM experts regarding the judicial control over the integrity testing was the uncertainty of the criteria used for its disposal.

Although these pieces of legislation are in the Parliament, there is a risk that the drafts examined within the parliamentary commissions could be sent back to the Government for re-examination.

### **Adopted legislation**

1. Comments to the draft law amending the legislation related to electronic monitoring.

NORLAM presented a detailed note on the Norwegian legislation and practice regarding the electronic monitoring and strongly recommended that Moldovan authorities include this measure as an alternative to imprisonment. Introducing electronic monitoring as a condition for suspending sentences (art. 90 of the Criminal Code), will not necessarily lead to a decrease in overcrowding. These comments cannot be found in the newly adopted law.

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#### **RESULT:**

Given the fact that the legal drafting process is often dependant on the political will and economic stability in the country, few laws (part of the actions provided by the Action Plan for the implementation of the Justice Sector Reform Strategy) were passed by the Parliament. In order for a law to prove efficient, correct and repeated application in time is needed. Practice shows that Moldovan authorities often encounter challenges at the implementation stage. Thus, expert advice and experience sharing with practitioners, like NORLAM members, can be very useful for the improvement of this process.

## OUTCOME IV: PRISON AUTHORITIES APPLY INDIVIDUAL, CRIME PREVENTIVE MEASURES AND RESPECT INMATES' RIGHTS

### WHY: OVERCROWDING, POOR PRISON CONDITIONS, HIGH TURNOVER OF STAFF

Moldovan prison population is going up. In January 2016 it surpassed the 2008 level, with 8054 inmates, including 1720 pre-trial detainees. This upward trend is a consequence of *inter alia* the following factors:

1) Harsher sentencing of certain crimes. Since 2012 until present, the main amendments to the Criminal Code were focused on the criminalization of specific acts and increasing the punishments for specific offences<sup>20</sup>.

2) Less prisoners are released on parole, 243 prisoners in 2015 down from 1147 in 2008<sup>21</sup>. Moreover, the percentage of admitted requests for early release out of total examined by courts also decreased, from 73% in 2007 to 33% in 2014 (see chart on pg. 33). This could be partially explained by legislative amendments in the eligibility criteria for early release. Unlike Norway, where “releases” are in the “hands” of correctional service, in Moldova, this issue is regulated by law in detail and decided by judges. This system is seriously affecting the individualization of punishment enforcement.

Under overcrowding pressure and economic decline, the Government struggles to improve prison conditions, which are harshly criticized by the Committee for Prevention against Torture and other human rights protection mechanisms. In September, Moldovan prison system was visited by the CPT. Among the visited institutions were Goian and Rusca prisons. In assisting DIP, NORLAM will build upon and adjust its work to the CPT recommendations.

The prison system needs institutional transformations. The high turnover slows down this process. The frequent changes of management affect prisoners and staff. The number of complaints against staff was 218 in 2015.

### WHAT: SUPPORT THE PRISON REFORM

Wider use of open prisons and conditional release are some of the solutions proposed by NORLAM to the above mentioned problems.

During April – August 2015, NORLAM actively participated in the working group on humanization of criminal policy, proposing actions for better treatment of prisoners and individualization of sentence enforcement. During June – December 2015, NORLAM started the process of establishing an open sector for women convicts in Rusca prison. In parallel, NORLAM cooperated with Prison Department regarding the possibility to create progressive security levels, and by this, use the open sectors in the preparation for release phase. The experience of Romania is useful in this regard.

<sup>20</sup> Impact Evaluation Report of the specific intervention area 2.5.1 of the Action Plan for the Implementation of the JSRS 2011-2016, (Vidaicu M., Ohrband G., 2015), page 11.

<sup>21</sup> DIP statistics

As a part of the desire to expand the cooperation with Romania, 2 meetings took place, one in Chisinau and one in Bucharest, between DIP, Central Probation Office, National Administration of Penitentiaries (Romania), National Probation Directorate (Romania), Correctional Services Directorate (Norway) and NORLAM, having the purpose to draft a project proposal to Norway Grants for 2016.

On the 17-19 November 2015, DIP, NORLAM and EUTAP4<sup>22</sup> arranged a workshop gathering 45 representatives from management and staff at different levels to discuss and amend the Draft Strategy for Development of Prison System. The Minister of Justice opened the event and four Romanian prison experts facilitated the process and shared their experience.

To raise the public awareness about the impact of harsh sentencing on individuals, the Moldovan Ministry of Justice, NORLAM and the Art Centre “Coliseum” arranged two theatres events. The documentary theatre “Shakespeare for Ana” is based on interviews with prisoners and staff from three Moldovan prisons (Goian, Rusca and Soroca), directed by Luminița Țăcu<sup>23</sup>. One event targeted legal professionals, representatives from international and non-governmental organizations, embassies, university professors and students. The second event was attended by prison governors, staff and inmates from the three prisons presented in the play.

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## RESULTS:

1. Reducing overcrowding and ill-treatment in prisons became a priority;
2. Intensified cooperation between Romania, Moldova and NORLAM;
3. More public focus on the prison conditions, the normality and humanism principles. Prison issues got wider media coverage in 2015, 1065 appearances compared to 968 in 2014. Especially the theater play “Shakespeare for Ana” stirred a significant public interest, including the interest of high-school pupils, youngsters, etc. For directing this play, L. Țăcu was awarded by the Ministry of Culture.



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<sup>22</sup> European Union Technical Assistance Project nr. 4 - Support to the Enforcement, Probation and Rehabilitation Systems in Moldova;

<sup>23</sup> This project was financed by the Swiss Agency for Development and Cooperation

## OUTCOME: GOIAN STAFF APPLIES INDIVIDUAL, CRIME PREVENTIVE MEASURES AND RESPECT JUVENILES' RIGHTS

### WHY: THE RIGHTS OF IMPRISONED JUVENILES ARE PARTIALLY OBSERVED

Imprisoned juveniles continue to be a vulnerable group in the prison system due to the fact that the detention regime and security regulations have not been adjusted to their specific needs. The number of juveniles detained in Goian was between 20 and 30.

Even though the Goian project is being implemented since 2012, there is still a limited understanding of the special treatment juveniles need and a lack of readiness in DIP to introduce more ambitious changes. The problems Goian faced in 2015 (escape, riots, self-hurting, massive turn-over of employees) affected the juveniles.

The assessment conducted by NORLAM in August by interviewing prisoners and staff in Goian pointed at alarming developments like ill-treatment of juveniles, almost no activities, less transparency and other<sup>24</sup>.

### WHAT: MORE FOCUS ON THE JUVENILES' NEEDS

In cooperation with DIP, NORLAM decided to introduce a new kind of activity for juveniles. Starting September, two well-respected theatre directors and professors from Moldovan Art Academy, Mihai Fusu and Luminița Țăcu conduct theatre classes three times a week, attended by 7 juveniles. In addition to communication and actor-performance skills, the juveniles learn stage-movement and participate in debates. The aim is to motivate juveniles for learning and adhering to common social values. This can lead to change in thinking and prepare them for release.

This year NORLAM had an on-going cooperation with the Norwegian NGO Hjelp-Moldova. In a eye-examination procedures in Goian, the ophthalmologists identified eye symptoms that rarely occur at juveniles. Subsequently, NORLAM invited Help-Moldova to give a lecture to juveniles to prevent further development of the sickness, that in worst case leads to blindness.

Bringing the civil society in the prison increases transparency and prevents ill-treatment.

DIP and NORLAM decided to create a Consultative Group for Goian<sup>25</sup>. This Group includes representatives from: DIP, Goian, UNICEF, EUTAP4, Art Centre Coliseum, "Regina Pacis" Foundation and NORLAM. The main purpose of the group is to assist DIP in improving Goian's performance according to international standards.

Based on the letters received from individual juvenile prisoners NORLAM provided small donations like clothing, Christmas tree, cake on the 24th of December. Also in December, NORLAM supported a Norwegian and two Moldovan bands to perform a concert for Goian juveniles.

<sup>24</sup> Project Evaluation Report drafted by NORLAM, September 2015.

<sup>25</sup> DIP Order no. 444 dated 17 December 2015.

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## RESULTS:

1. Increased public focus on the juveniles in prison. Their conditions and the challenges they face at release. Goian got wider media coverage, especially, the opening of the vocational workshops for juveniles<sup>26</sup>, the escape, the riot, and the theatre classes in Goian, etc.
2. Improved attitudes and communication skills of the juveniles attending the theatre classes. The new Prison Governor in Goian noticed that those juveniles attending theatre classes have improved their thinking and communication skills. Based on NORLAM's direct observation, the theatre professors promote mutual respect, equality between juveniles and humane attitude of staff towards juveniles.
3. Increased capacity of Goian to provide vocational training<sup>27</sup>. The total number of certificates that juveniles got was 28 in 2015.
4. Increased transparency of Goian.

According to the Project Evaluation Report by NORLAM, few staff was directly involved in correctional work. This indicators was significantly lower than targeted. The cases of self-hurting increased (17 cases in 2015 compared with 2 cases in 2014). Four complaints against staff were submitted by juveniles in Goian. Out of 19 prisoners released from Goian during 2013-2015, three returned to the prison system.

Considering the substantial effort undertaken by the MJ, DPI, NORLAM, Government of Romania, NGOs and other interested parties in order to facilitate the process of rehabilitation and reintegration in the community, the situation of convicted juveniles and youngsters remains a priority.



*Norwegian band singing in the Goian prison*

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<sup>26</sup> Project financed by Romanian Government, implemented by UNDP.

<sup>27</sup> The vocational workshops created with the 90,000 euro grant from the Romanian Government were opened in March. Moreover, an Italian foundation, Regina Pacis, renovated the kitchen so that juveniles have cooking classes.



## OUTCOME: THE STAFF IN THE RUSCA PRISON IS CAPABLE TO PROVIDE BETTER WORK AND EDUCATION FOR FEMALE INMATES

### WHY: WOMEN IN PRISON HAVE SPECIAL NEEDS

Over 320 women serve their sentence in Rusca prison, half of them have children under 18 year and 7 are detained together with their children in a separate sector of the prison. 83% of them serve sentences longer than 5 years. In 2015, 4 women were sentenced to imprisonment in open prison facilities and Rusca did not have the infrastructure to provide that. The Moldovan enforcement system of serving the full sentence in the same type of prison (closed, semi-closed or open) is contradicting the European Prison Rules<sup>28</sup> and is not in line with UN Bangkok Rules on Women offenders and prisoners.

The school, library and workshops are in deplorable condition. 124 women are involved in work<sup>29</sup> or other activities and 1/3 use the library, and significantly less attend school due to the lack of class-rooms.

The re-offending rate is lower among women than among man. 207 out of 326 female prisoners are first-time offenders. At the same time, out of all women that arrived in Rusca in 2014 (76 entries), 3 of them have re-offended in their first 5 years after release (4% returned to prison).

### WHAT: CAPACITY AND OWNERSHIP BUILDING

This year, NORLAM had close contact and a continuous working process with the operational leaders of Rusca prison (chiefs of services). Through regular meetings held in March – June, Rusca employees identified that their main challenges are: 1) lack of an open sector; 2) inefficient organization of staff, unbalanced workload; 3) cumbersome routines (about 100 types of paper registries).

These needs were brought in June to the attention of the Minister of Justice who gave the approval for drafting a re-organization proposal of Rusca. Thus, NORLAM supported the establishment of an open sector/low security unit outside the prison and worked on a project plan jointly with the staff.

For this purpose, two one-day workshops were arranged in July and September with a study trip to Romania in between. In the first workshop, the staff prioritized their needs using the *Impact vs Do-Ability Matrix*; they were introduced to the cause-effect thinking by using the *problem-tree*, and underwent problem-solving exercise through the *6 thinking hats*<sup>30</sup> method.

For getting inspiration in the process of identifying solutions, a study trip to Romania was organized for the same group. 17 employees from Rusca, 1 employee from DIP and 2 from NORLAM visited the National Prison Administration, the prison for women Tirusor and the Open Prison Codlea during 9-12

<sup>28</sup> Rec (2006)2. Basic principles: 3. Restrictions placed on persons deprived of their liberty shall be the minimum necessary and proportionate to the legitimate objective for which they are imposed. Rule 51: The security measures applied to individual prisoners shall be the minimum necessary to achieve their secure custody. Rule 51.5 The level of security necessary shall be reviewed at regular intervals throughout a person's imprisonment.

<sup>29</sup> This number is much lower in male prisons. Overall, in the prison system, only 11% of prisoners have work.

<sup>30</sup> The system is designed by [Edward de Bono](#) as problem solving tool for group discussion, individual thinking.

September. In the post-trip workshop, the group members clustered their solutions according to the problems identified earlier.

Based on the model and positive experience in Georgia with establishing a library in the Women Prison - Rustavi, NORLAM addressed the need of having a similar project in Moldova to Mrs. Liv Stensby, project manager at Oslo Public Library and to the Norwegian Ministry of Foreign Affairs (NMFA). Funds for needs assessment and mapping were allocated in the autumn. A Project Proposal was submitted to NMFA in the end of October.

Having focus on management, progressive regimes (security levels) and open sectors NORLAM arranged a study trip to Norway during October 2015. The delegation consisted of 2 DIP leaders and 3 representatives from Rusca, including the governor. The delegation visited the following institutions: KDI, Bredvet Prison, Sandaker Halfway House and the National Library in Oslo. The feedback from the study trips is reflected in the project document.

From NORLAM's point of view, the aforementioned process is essential for building ownership.

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## RESULTS

1. Increased capacity to have women detained in open sector in Rusca prison. In 2016, our focus is to develop the open facility further and use it for preparing for release as “resocialisation regime” for the last 6 months of a sentence;
2. Higher understanding of the importance of individual approach, communication and dynamic security for social reintegration, diversified activities, more autonomy at the prison level, and other.



*Group work with Rusca prison staff*

## OUTCOME V: THE PROBATION SERVICE IMPLEMENTS NON-CUSTODIAL SANCTIONS OF GOOD QUALITY

### WHY: INSUFFICIENT INDIVIDUALIZATION AND QUALITY OF PROBATION SANCTIONS

Since establishing the Moldovan Probation service in 2007, the number of non-custodial sentences has been constantly increasing, while resources and funding has not increased accordingly. This has led to high workload and that probation officers are underpaid. Planned reforms and improvements are halted or insufficiently implemented because of lack of resources. In such a situation it is also difficult to hire qualified staff. A majority of Moldovan probation staff do not have the desired educational background from social work or psychology. Staff training in use of psycho-social and educative tools, targeted at changing criminal behaviour of the clients is also scarce.

Evaluation shows that the judges and prosecutors expect higher quality of execution of non-custodial sanctions and that the general standing of sentences executed in society is low.

Even though an individually adapted sentence, based on the offenders' crime-preventing needs is a goal, the majority of the clients in probation are still serving suspended sentences with no additional obligations. The Probation service statistics shows that the number of clients in probation has increased, but conditions imposed by court with crime preventing targets have actually been reduced.

The office facilities in the probation service do not provide satisfying conditions for individual conversations or group based behavioural programs. There are also not enough offices with facilities to deliver training of staff.

### WHAT: PROJECT - "INCREASING THE QUALITY OF NON-CUSTODIAL SANCTIONS"

The project is implemented by CPO and NORLAM and plans to deliver the following outputs:

#### **Output 1 - Support the implementation of cognitive programs and other crime preventing measures in the Moldovan Probation Service.**

Motivational interviewing – MI, is a tool for investigating and supporting the clients motivation for change of criminal lifestyle. Applying this method gives probation staff background information on obstacles and problems surrounding the client and investigates client's motivation, resistance and possibilities for change. MI is a basis-tool in most behavioural programs. The Probation Service has therefore chosen this tool to be mandatory in initial training for all Probation officers. When properly used, it is a good indicator of methodical and individually adapted approach to the client's needs.

NORLAM initiated a status update and a renewed focus on behavioural programs which shows a need to further support probation service in training of staff in programs for juveniles and offenders with violent behaviour. Moldovan probation service has signed a cooperation agreement with Dutch probation service to adapt a drunk drivers program and training of staff. Further steps to increase courts

application of individualized sentences is needed to secure the sustainability of implementation of behavioural programs.

*Outcome indicator: “ Part of trained probation staff who apply motivational interviewing skills in their daily work”.*

Increase of skills and training of staff alone does not secure increased quality of the non-custodial sanctions, but MI is an important premise for increased quality of services. Given the circumstances, it is impossible to implement non-custodial sanctions of good quality without first having secured that probation officers know and use Motivational Interviewing, thus the indicator focuses not only on acquired skills, but also whether these skills are applied.

Assessments on development of training and implementation of MI have been conducted. The heads of probation offices confirm that MI is widely applied. They also acknowledge the need for further training in MI, and specify that this will help them improve the quality of their work. The second assessment included the probation counsellors trained in MI. The results confirmed the first assessment. All counsellors said that they use this technique, although to a variable degree. Some of them use the technique with the majority of clients, others just with the ones that express a wish for change of their criminal lifestyle. When asked about the usefulness of MI, the majority said that it “helps them improve their work by identifying the real issues that the client is facing” and “to achieve better communication”.

Having in mind that assessments are based on self-evaluations of the probation counsellors, the use and usefulness may be exaggerated to a certain degree by the respondents.

## **Output 2 - Advice in development of legal framework for community sentence**

NORLAM’s initial conclusion to the problems of non-custodial sanctions was that a new sanction which included possibilities to adjust the content of the sentence according to the client’s needs, similar to the Norwegian community sentence, should be implemented and that such a sentence should in particular target juvenile offenders. It became apparent that such an approach is not possible at this stage in Moldova. NORLAM’s current project on “Increasing the quality of non-custodial sanctions” has adopted an alternative approach; sentences should be individualized by making it easier and more feasible for the court to combine different crime preventive means. The process leading up to current legislation for non-custodial sanctions is stretching back several years. NORLAM has given many inputs, both separately and via our partners in the Probation service.

Evaluation forms after Central Probation Office’ fact finding trip to Norway shows that a lot of practical information was gathered. Participants emphasized especially the content of individualized sentences and how to organize the execution of such sentences.

The amendments of the law on Probation, the new provisions of the penal code and the new articles in the enforcement- code are partially according to NORLAM’s advice and input. The court is still to decide the specific content of the sentence but behavioural programs and other efforts to reduce reoffending is now possible to include as conditions for release and conditions in suspended sentences. It is also possible to combine these conditions in order to meet the client’s specific needs.

### **Output 3 - Advocacy, information and training of probation staff and other key personnel in judicial sector in non-custodial sanctions.**

In addition to previous trainings of judges, prosecutors and probation staff, NORLAM has focused on head of offices in the Probation service. Motivational Interviewing, management and alternative non-custodial sanctions have been main focus. The NORLAM probation project also target public information campaign and strengthening the connection between community service and general public.

Evaluation of trainings in probation, shows that head of offices have gained a deeper understanding of necessary processes essential for behavioural change. They also understand their role as managers in paving way for this to happen. Our efforts to train judges and prosecutors together with probation staff should be more extensively evaluated.

### **Output 4 -Support in investigating needs and possibilities for establishing Electronic Monitoring in Moldova.**

Moldovan probation service highly prioritizes introduction of electronic monitoring (EM), in accordance to the Justice Sector Reform Strategy. The Probation service has decided to introduce electronic monitoring (EM) as a condition for suspended sentences and conditional release. NORLAM has supported Moldovan probation service by information, organizing study trips and taking part in roundtables on the issue. Legal basis now is in place and a small scale pilot started. Due to strict criteria, it is initially not expected a lot of sentences to be passed on EM or releases from prison with EM as condition for release.

We have a good dialogue with Moldovan authorities and even though Moldova has chosen another technical solution than we suggested, we still find it useful to offer our support to Moldovan Probation service in implementing EM.

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#### **RESULTS:**

1. MI is implemented by the majority of probations offices and is perceived as a very useful tool in their work.
2. Group of trainers in MI created, trained and coached in performing the introductory course.
3. NORLAM's role and our input on the matter is clearly stated in the informative note to the law, leading up to the new articles in the Penal code and the amendments to the law on Probation which came into force from Jan 1<sup>st</sup> 2016.
4. Head of offices have gained a deeper understanding of necessary processes essential for behavioural change

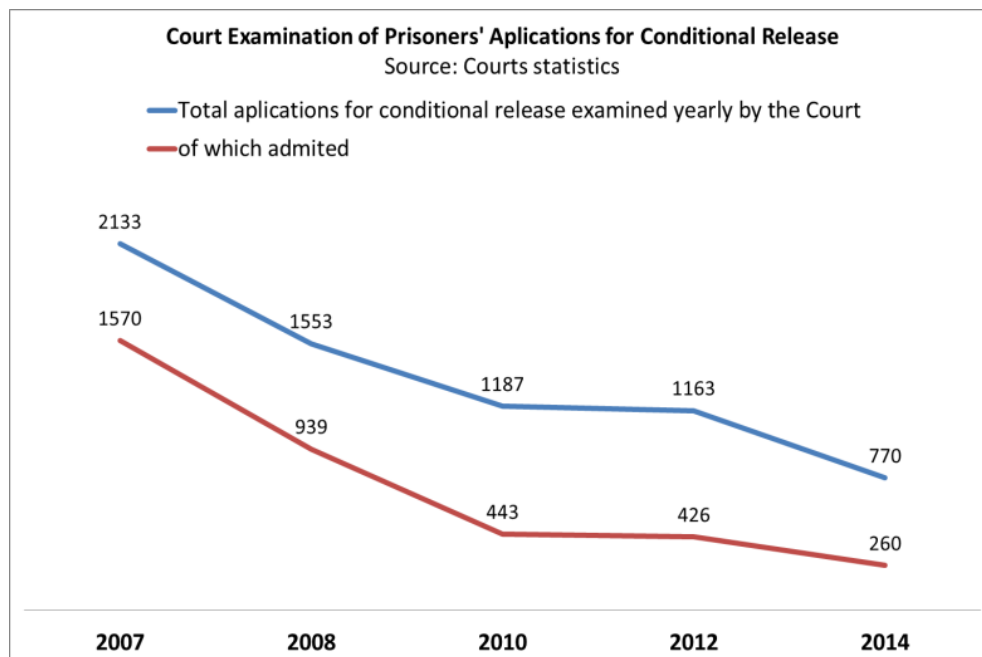
## NORLAM RESPONDING TO INCREASED NEEDS

Moldova is facing a difficult situation, which calls for a continuous re-assessment of our solutions to the core-problems that hamper the justice reform. At times, NORLAM is invited *ad-hoc* to join working groups or give advice on draft laws. This flexibility to respond to urgent needs and to adjust our outputs throughout the year is appreciated by Moldovan partners.

### 1. NEED TO REDUCE OVERCROWDING

Approximatively one third of ECtHR convictions against Moldova concerns violations of Art. 3. This article enshrines one of the most fundamental values of democratic institutions. It is absolute and thus has no margin of appreciation.

In April 2015, the Ministry of Justice established a working group<sup>31</sup> on humanization of criminal policy and strengthening of the compensation mechanism for the victims of ill-treatment and NORLAM was invited to appoint a member. The purpose was to draft amendments to the Criminal Code; the Criminal Procedure Code; the Enforcement Code and other relevant legislation regarding the humanization of criminal punishments and reducing the overcrowding in prisons. The group failed to produce a draft law by the end of 2015. However, in a meeting with the Deputy Minister of Justice, NORLAM was encouraged to come with a suggested draft law advocating in favour of one solution that would have effects in short to medium term.



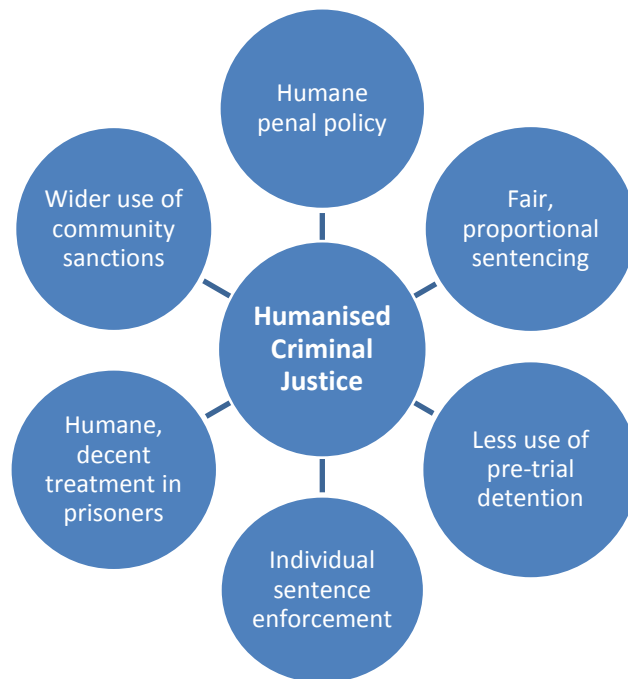
*Note: The continuous amends in legislation concerning eligibility for conditional release, has led to a decrease in both examined and admitted applications.  
The prison population in 2007 and in 2015 is approx. the same.*

<sup>31</sup> The Order of the Minister of Justice no. 174, of 23 April 2015

The ECtHR noted in a recent judgment, *Shishanov v. Moldova*, 2015, that since 2005 it has regularly found violations of Art. 3 of the Convention in respect of the conditions of detention in Moldovan prisons, in particular overcrowding, the living conditions, inappropriate hygiene, insufficient quantity and quality of the food and lack of appropriate health care, in over 30 cases, and more than 70 applications that are related mainly to similar problems are still pending. The Court highlighted that in order to properly comply with the obligations imposed in its previous judgments in similar cases, an adequate and effective system of domestic remedies must be put in place.

Similar statements were made by the Ombudsman in a recent public notification, asking the relevant authorities to close Prison no. 13 due to same reasons underlined by the Court; and by the CPT in its preliminary observations presented to the Moldovan authorities at the end of the visit of 14-25 September 2015.

Overcrowding is complex phenomenon, often generated by an in-balanced criminal justice system. Therefore, it needs a holistic approach when exploring solutions (please see the diagram below). To change judicial practices involves changing the legal culture. This can be done by identifying the drivers of change in the legal community. NORLAM has chosen the methods of advocating international standards, offering advanced learning, raising the capacity in the fields of fair trial, uniform sentencing and proportionality, alternatives for imprisonment and humane treatment of inmates. In this, regard, NORLAM fully recognizes the effects of a *cross-disciplinary approach* towards targeted actors.





The Evaluation of the interventions under “humanisation” strategic direction of the JSRS Action Plan<sup>32</sup> concluded that it was only partially implemented. Moreover, it has been found that the amendments to the legislation have gone against the purpose of humanization. This empirical study was conducted by two researchers, a legal expert from Moldova and a social psychologist from Germany, on behalf of NORLAM at the request of EUTAP1.

## 2. NEED TO ASSESS THE SITUATION OF LIFE-PRISONERS

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Throughout 2015, NORLAM received almost 80 letters from prisoners sentenced to life-imprisonment detained in Rezina prison and their relatives. The key issue they complain about is the right to review of the sentence and the possibility for release on parole after serving 20 years. During a field visit, it was identified that half of them are serving the sentence in “initial regime”, all those in their first 10 years of sentence. Given the very strict conditions of this regime, namely the extensive time spent locked in the cell, NORLAM is considering having a fact-finding mission assessing the legality of these provisions and practice.

The strict regime for lifer-prisoner implying no rehabilitative aspects, and moreover, the retroactive application of stricter conditions during incarceration, will inevitably lead to new convictions against Moldova in the ECtHR.

## 3. ALTERNATIVES TO PRE-TRIAL DETENTION

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It is a common understanding that the use of pre-trial detention has developed in the right direction, but it is still used too extensively, especially when it comes to unjustified prolongations. Currently in many cases, prolongations should not be applied and in others less coercive measures should be used. The same justification used for applying the initial detention is simply repeated for prolongation without a new assessment of the strict legal demands.

The tendency not to release from pre-trial detention when this is not strictly necessary and the limited use of less coercive measures leads to the conclusion that the existing practice is not in compliance with the national legislation and ECHR. This fact is also reflected in the numerous convictions by ECtHR.

NORLAM finds it important to build competence within Moldovan prosecution to change the present practice, in order to ensure full compliance with the domestic legislation and international demands, and a focus on the proportionality principle provided in Criminal Procedure Code, art. 176, paragraph 3, that currently seems to be neglected.

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<sup>32</sup> Action 2.5.1 - “Liberalization of criminal proceedings by using sanctions and non-custodial preventive measures for certain categories of persons and certain offenses” of the Action Plan for the Implementation of the Justice Sector Reform Strategy 2011-2016 (JSRS).

Moldovan and Norwegian practices in the area of pre-trial detention were reflected in a comparative research drafted by two Moldovan university professors and two NORLAM members, facilitated by Soros Foundation Moldova<sup>33</sup>.

Consequently, a reduction of the number of persons in pre-trial detention or reduction in the length of pre-trial detention will positively contribute to solving the diminishing overcrowding problem in prisons pre-trial isolators. These efforts supplement the work done regarding the problem of overcrowding as described above.

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<sup>33</sup> I. Dolea, S. Ursu, B. Larsen, D. Arcusa, Comparative research: *Pre-trial Detention in the Republic of Moldova and in European Countries*, Cartier, December 2014.

## COOPERATION PARTNERS

Acknowledging the importance of effective coordination with other entities providing support in the justice sector and the eventual synergy effects from merging the efforts in certain areas, NORLAM has an ongoing dialog with EU Delegation, OSCE, CoE, UNICEF, Legal Resource Centre, High Level Policy Advisors and others.

NORLAM attends the monthly Justice and Security Sector Coordination meetings (JSS), which gather all the international donors that provide support for the justice reform in the Republic of Moldova. This platform for discussion and coordination ensures that the international community operating in Moldova is informed about all the projects and activities carried out by other stakeholders, avoid overlapping and initiate cooperation on common areas of interest.

NORLAM is also attending thematic gatherings of international donors, which have activities in the Republic of Moldova in the field of prosecution reform, assistance to strengthening the legal profession and also the biannual meetings of the Coordination Committee of Donors of the National Institute of Justice.

In certain areas, NORLAM established successful partnerships with international or non-governmental organisations. In partnership with ABAROLI and NIJ we created and trained the Human Rights Resource Group since 2013. Most of the trainings targeting lawyers have been arranged in cooperation with the NGO “Embassy for Human Rights” since 2011. Another example is the cooperation with the Art Centre Coliseum for lifting the prisoner’s challenges on the public agenda.

NORLAM has developed a close cooperation and ongoing dialog with EU TAP4. They supported our project in Probation by conducting needed assessments and will also run staff trainings. In addition, we co-arranged a workshop on the Strategy for Development of Prison System at the end of 2015. The next steps will include cooperation in Goian and capacity building of DIP.

The steering group of the project “Quality of non-custodial sanctions” consist of representatives of the leadership of the Ministry of Justice, General Prosecutors’ Office, head of EU TAP4, in addition to director of Probation and NORLAM head of mission.

The cooperation with Help-Moldova continued in 2015 in the same manner as in previous years.

What is new, is that we initiated a discussion about future cooperation with the project Girls Go IT<sup>34</sup> for Rusca prison.

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<sup>34</sup> <http://girlsgoit.md/eng>

## ACRONYMS

ABA ROLI	American Bar Association Rule of Law Initiative
Art.	Article
CNPAC	National Centre for Child Abuse Prevention
CoE	Council of Europe
DIP	Department for Penitentiary Institutions (Departamentul Instituțiilor Penitenciare)
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
EM	Electronic Monitoring
EU	European Union
EU TAP 1	European Union Technical Assistance Project: Support to the Coordination of the Justice Sector Reform in Moldova
EU TAP 4	European Union Technical Assistance Project: Support to the Enforcement, Probation and Rehabilitation Systems in Moldova
JSRS	Justice Sector Reform Strategy
GPO	General Prosecutor's Office
MoJ	Ministry of Justice of the Republic of Moldova
NIJ	National Institute of Justice
NGO	Non-governmental organisation
NORAD	Norwegian Agency for Development Cooperation
NORLAM	Norwegian Mission of Rule of Law Advisers to Moldova
NMFA	Norwegian Ministry of Foreign Affairs
MI	Motivational Interviewing
MLSPF	Moldovan Ministry of Labour, Social Protection and Family
OSCE	Organisation for Security and Co-operation in Europe
UNDP	United Nations Development Programme
UNICEF	United Nations International Children's Emergency Fund
US	United States
USAID	United States Agency for International Development