



“The purpose of the reform is to contribute to a fair judiciary that would make legal decisions; a judiciary that citizens would trust”.

**Igor Corman,**  
Parliament Speaker  
of Moldova

## THE REFORM IN A NUTSHELL

### Ombudsmen Are Dissatisfied with the Way Judicial Reforms Are Conducted

In the 2013 Report of the Centre for Human Rights (CHR), ombudsmen have included a number of findings regarding the implementation of the Judiciary Reform Strategy. CHR has established the lack of coherence and consistency in some of the Strategy actions, as regards, among others, the observance of the deadline, which speaks of the inefficient use of human and financial resources. Ombudsmen call for the adjustment of the Action Plan for the implementation of the Strategy to the existing needs, including for the revision of some actions, the deadlines and the performance indicators for the latter.

In response, the Minister of Justice, asks for concrete findings and recommendations. “Unfortunately, we have not received concrete recommendations from CHR, and the Report does not explain what are the specific proposals of this institution”, a press Release of the Ministry of Justice’s Press Centre communicates.

### Judges’ Property Declarations for 2013 Available Online

The Income and Property Declarations for 2013 of all judges in the country have been displayed on the website of the Superior Council of Magistracy (SCM). The declarations may be accessed on [www.csm.md](http://www.csm.md), in section Income Declarations. Ioana Chironet, head of SCM’s executive office says the annual publication of the declarations on the website of the institution is part of the effort to improve transparency of SCM, which is set out in the Judiciary Reform Strategy for 2011-2016.



# Mediation Helps Reduce the Number of Cases in Courts

**By the end of last year, in Moldova there were over 340 people authorized to conduct mediation -alternative actions to settle conflicts amicably, without getting to court. Experts say judges will have fewer cases for examination if citizens use mediators’ services.**

For about two years, Serghei Cojocari provides mediation services in Rezina raion. The young man says he has few clients because people are not well informed about the role of a mediator. “Our role is to reconcile two people when they are in conflict, in order to avoid the endless trials. Mediation is a relatively new practice in our country and this process may be efficient only when the parties are willing to cooperate. The mediator listens to both parties and offers them alternative solutions to settle the conflict. Once the conflict settled, the case does not get to court”, the mediator explains.

### Mediation in a trial

Marcel Burlacu, president of the National Union of Mediators of Moldova explains that mediation may be requested both by the conflicting parties and by the court or, as the case may be, by the criminal investigation body. “When parties accept mediation, they conclude an agreement, and if trial is terminated due to mediation, the court should later be informed whether or not an



A mediator helps the parties reach an amicable agreement to settle a conflict or litigation. Symbolic photo.

agreement has been reached. If the parties get to an understanding following the mediation procedure, then a reconciliation agreement is signed”, Marcel Burlacu says.

Victor Zaharia, executive director of the Institute for Penal Reform, explains that if citizens asked for the help of a mediator in a conflict, this would help avoid the piles of cases pending examination in courts. “Parties go to court for very simple cases, without being aware of the legal complexity of those litigations. As a result, courts are full of case files related to divorces or disputes between neighbors. People in a conflict should know that they

may go to a mediator, even if a case has been initiated in court”, the expert says.

### Mediators have no proper working conditions

Currently, there are over 340 people in Moldova with the legal right to conduct mediation. These people have attended the initial training courses within the National Institute of Justice (NIJ) and were certified in this field by the Mediation Council within the Ministry of Justice.

The National Union of Mediators reports that, after certification, mediators often have no place to conduct their activity. “Mediators need to work in an

individual offices or offices that they share with other mediators. However, not all mediators have such working conditions and therefore they do not get the remuneration they ought to,” Marcel Burlacu explains.

It should be noted that, according to the Law on Mediation, a mediator may charge a fee for his/her work, as well as the compensation for expenses incurred during mediation, in the amount set by agreement with the parties. The list of mediators certified in Moldova and their contact details are published on the website of the Ministry of Justice – [www.justice.gov.md](http://www.justice.gov.md) in the section *Authorized Persons*.

## National Courts have a Common Web Portal

**At the end of April, the common website for all national courts was launched. Here citizens may access information about the court hearings and the decisions made by all courts.**

Until recently, every court of Moldova used to have its own website, while now the information about the hearings held all over the country may be found on the common website [www.instante.justice.md](http://www.instante.justice.md). In addition, one may find here information about the decisions made and other info from any ordinary court of Court of Appeal of Moldova.

Constantin Bragoi, head of the Judicial Administration division, stated that, with the creation of this consolidated portal, courts’ individual websites will not be operational any more: “We have chosen this option in order to increase the efficiency of the expenses related to the management of a website.



Launch of the common web portal for the courts, organized at the Ministry of Justice, on April 30, 2014. Source: [www.justice.gov.md](http://www.justice.gov.md)

Due to this common website, we will save money and citizens will be able to find information about any court in the country in a shorter amount of time.”

Vasile Spinei, president of the Centre for Promotion of Freedom of Expression and Access to Information “Acces-info”, wel-

comes the decision of the Ministry of Justice to create a common website for all courts in the country, but at the same time he says the website should have sections that are clear and accessible, so that there is no difficulty for citizens in using it. “All social categories of population go to court,

this is why information should be presented clearly”, V. Spinei recommends.

According to the Ministry of Justice, the cost of creation of the portal [www.instante.justice.md](http://www.instante.justice.md) was 40 thousand MDL. This action was set out in the Judiciary Reform Strategy for 2011-2016.

At the end of April 2014,  
**58 vacant judge positions**  
in the courts of the country were registered at the Superior Council of Magistracy.



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Reporter – Lilia Zaharia