



**INSTITUTUL NAȚIONAL AL JUSTIȚIEI  
NATIONAL INSTITUTE OF JUSTICE**

## **ACTIVITY REPORT**

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**2015**

**Chisinau 2016**

## **The message of the NIJ Executive Director**

**Dear constituents, national and international partners, and interested stakeholders,**

We have the responsibility and equally the pleasure to offer you this Activity Report for 2015 of the National Institute of Justice (NIJ) of the Republic of Moldova.

During the reported year, the NIJ Board and Executive, which I have the honor to lead since February 2015, have undertaken appreciable efforts to fulfill the mission and the strategic objectives of the institution, hence contributing to streamlining the implementation of the Justice Sector Reform Strategy in the Republic of Moldova (2011-2016) and increasing the quality of the professional training provided to judges, prosecutors, and other specialists in the justice system.

The outcomes of the collective efforts undertaken by the NIJ team have materialized in quantitative and qualitative performances, expressed in: achievement of certain commitments assumed within the JSRS; development and update of the training curricula and materials, rigorous organization of the admission sessions and of the numerous adjusted trainings for the future and current judges, prosecutors, and other specialists of the justice system, provided by trainers with wide experience and highly appreciated in the area; building managerial capacities and enhancing technical equipping; boosting external and public relations. All these were carried out in the context of accurate financial administration by the institution's management.

Of course, 2015 was also marked by implementation difficulties, conditioned by certain objective aspects described in the report, which have influenced the fulfilment of certain commitments assumed under the JSRS and will serve as subsequent priorities for the NIJ. Nevertheless, we are firmly convinced that with consistent and joint efforts, we will succeed to overcome them, and the standardization of quality management (ISO) and implementation of results-based management – from planning, through organization, towards monitoring and reporting of results – the NIJ performance will increase, contributing further on to improving the pursuance of justice in the Republic of Moldova.

In this context, I would like to thank the NJ Board members for active involvement and strategic support provided during 2015. I would like to express special gratitude to the institution's executive body and trainers, who were involved on daily basis in the organization and implementation of activities, and made it possible to achieve the results we achieved.

Words of gratitude are also expressed for the development partners who contributed significantly to NIJ's achievements through their availability and openness for cooperation and consolidation of the institution.

The contribution of all stakeholders is highly appreciated.

Respectfully,

***Diana Scobioala,***  
***Executive Director, National Institute of Justice***

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## ACRONYMS

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APA – Academy of Public Administration  
ABA ROLI – American Bar Association Rule of Law Initiative  
AGEPI – State Agency for Intellectual Property  
AJM – Association of Judges from Moldova  
PA of MIA – Police Academy “Ștefan cel Mare” of the Ministry of Internal Affairs  
ASEM – Academy of Economic Studies in Moldova  
ATRECO – EU Project “Enhancing the Efficiency, Responsibility and Transparency of Courts in Moldova”  
EBRD – European Bank for Reconstruction and Development  
CCAP – Center for Corruption Analysis and Prevention  
DCC – NIJ Donors’ Coordination Committee  
WLC – Women’s Law Center  
CEC – Central Election Commission  
CESD – Center for Efficient Settlement of Disputes  
CETC –Continuous Electoral Training Center  
LIDC – NIJ Legal Information and Documentation Center  
NAC – National Anticorruption Center  
NCSGLA – National Council for State Guaranteed Legal Assistance  
NSIC – National Social Insurance Company  
NIC – National Integrity Commission  
CNPAC – National Center for Preventing Abuse against Children  
CE – Council of Europe  
SCJ – Supreme Court of Justice  
SCM – Superior Council of Magistracy  
SCP – Superior Council of Prosecutors  
ECtHR – European Court for Human Rights  
STC – Special Telecommunications Center  
JAD – Judicial Administration Department  
EJTN – European Judicial Training Network  
HELP – Human Rights Education for Legal Professionals  
ICMPD – International Center for Migration Policies Development  
GPI – General Police Inspectorate  
NIJ – National Institute of Justice  
NIMR – National Institute of Magistracy from Romania  
IOJT – International Organization for Judicial Training  
IRZ – German Foundation for International Legal Cooperation  
ISO – Quality Management System  
La Strada – International Center for Protection and Promotion of Women’ Rights „La Strada”  
LEAVITT – Leavitt Institute for International Development  
MF – Ministry of Finance  
MJ – Ministry of Justice  
MLFSP – Ministry of Labor, Family and Social Protection

NORLAM – Norwegian Mission Experts of Rule of Law Advisers to Moldova  
PAO – People’s Advocate Office  
CPO – Central Probation Office  
OHCHR – Office of the United Nations High Commissioner for Human Rights  
IOM – International Organization for Migration  
NGO – Non-Governmental Organization  
UN – United Nations  
OSCE – Organization for Security and Cooperation in Europe  
GPO – General Prosecutor’s Office  
UNDP – United Nations Programme for Development  
UNDP Project – UNDP Moldova Project “Strengthening Technical Capacities of the National Institutions for the Human Rights Protection and Promotion”  
Promo-LEX – Association for Promotion of Democracy and Human Rights “Promo-LEX”  
RM – Republic of Moldova  
SOROS – Soros-Moldova Foundation  
JSRS – Justice Sector Reform Strategy for 2011-2016  
USA – United States of America  
NSCC – National School of Court Clerks in Romania  
TAIEX – Instrument of Technical Assistance and Exchange of Information  
EU – European Union  
ULIM – Free International University in Moldova  
NUB – National Union of Bailiffs  
UNHCR – United National High Commissioner for Refugees  
UNICEF – United Nations Children’s Fund  
USAID ROLISP – USAID Rule of Law Institutional Strengthening Program in Moldova  
USEM – University of European Studied in Moldova  
USM – State University of Moldova

## INTRODUCTION

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NIJ is the only public institution in the RM responsible for the initial training of the candidates for judges' and prosecutors' positions, initial and continuous training of practicing judges and prosecutors, court clerks, judicial assistants, heads of court secretariats, probation advisors, as well as of other persons contributing to pursuing justice.

In its activity, the NIJ is guided by the provisions set forth in the Law No. 152-XVI dated 08.06.2006, the NIJ Charter dated 06.06.2007, the Internal Rules of Procedure dated 06.06.2007, other regulations and strategies approved by the NIJ Board for ensuring the fulfillment of its duties.

The NIJ is a legal entity with its own patrimony, administrative, scientific, and didactical autonomy, and its own premises in Chisinau municipium. The maintenance and operation costs are funded from allocations provided distinctly in the state budget. Other financing sources, which are not prohibited by law, may be accepted if they do not prejudice the NIJ autonomy and do not impede the fulfilment of its main duties.

The Board and the Executive Director are the leadership bodies of the NIJ. The Board is the supreme leadership body, and the Executive Director ensures the current management of activities. The NIJ personnel include the teaching staff, administrative personnel, and auxiliary employees.

The NIJ was registered in the State Register of Legal Entities on November 08, 2006. In the same year, in partnership with the Council of Europe, it has organized the first training of trainers' workshops. The continuous training courses started on January 01, 2007 and initial training courses for candidates to become judges and prosecutors started on October 01, 2007 on competition basis. The NIJ activity was officially launched on November 09, 2007.

The Strategy for building and enhancing the NIJ institutional, managerial, and didactical-scientific capacities for 2012-2016 and the Action Plan for its implementation were approved via the NIJ Board Decision No. 7/2 dated 25.05.2012. The Report on NIJ's implementation of the actions provided in the Action Plan for NIJ Strategy is presented in *Annex No. 1*.<sup>1</sup>

The NIJ Board Decision No. 5/4 dated 24.04.2014 approved the Action Plan for implementation of the Concept of initial training of the candidates for judges' and prosecutors' positions, and other lawyers contributing to pursuing justice and of the Concept for continuous training of judges, prosecutors, and other professionals from justice sector (May 2014 – December 2015). Report on fulfilment of the Action Plan for implementing the NIJ Concepts is presented in *Annex No. 2*.<sup>2</sup>

The present report describes the activities, performance, and deficiencies of the NIJ during 2015, in the context of the JSRS implementation and as a result of didactical-methodical activities, admission, initial training and graduation, continuous training, recruitment and training of trainers, e-Transformation and e-Learning, external networking and partnership development, public relations, human resources' management and financial resources' management.

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<sup>1</sup> Annex No. 1 to the Activity Report for 2015 may be accessed on: <http://inj.md/ro/rapoarte-anuale-0>.

<sup>2</sup> Annex No. 2 to the Activity Report for 2015 may be accessed on: <http://inj.md/ro/rapoarte-anuale-0>.

## SUMMARY

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During 2015, the National Institute of Justice from the Republic of Moldova performed well in achieving its mission and objectives, as reflected in the Justice Sector Reform Strategy (2011-2016) and in the legal framework regulating the activity of the Institute.

Hence, the NIJ registered significant progress in implementing the assumed commitments and achieving the expected results within the JSRS, including in fulfilling the remaining strategic actions, such as: *Establishing objective criteria for determining the necessary financial means for initial and continuous training; Organization of training courses for authorized administrators and Development of the authorized administrator's manual*. As well, it is remarkable the developing of the online program for communication between the NIJ and the training beneficiaries, which is to be launched, and the development of the joint electronic database of the NIJ, SCM and GPO regarding the number of continuous training hours accumulated annually – these information systems were piloted.

Due to different reasons, described in the JSRS implementation matrix, some backlogs still exist in relation to the following chapters: *Creation of a Legal Information Center accessible for judges, prosecutors, and representatives of other legal professions; Development of curricula and organization of initial and continuous training courses for representatives of professions related to the justice system; Organization of initial training courses for heads of court secretariats; Development of drafts for amending the internal normative framework of the NIJ in line with the legislation modifications; Finishing the reconstruction of the NIJ premises so as to ensure adequate training conditions for judges, prosecutors, and other representatives of the justice sector*.

During the reported year, the NIJ Board elected a new Executive Director of the NIJ, who started exercising her five-year mandate on February 09, 2015. As well, a new Deputy Executive Director was appointed. Traditionally, the NIJ Board has reviewed and approved the results of graduation exams for 15 candidates for judge position and 20 candidates for prosecutor position. The NIJ Board also reviewed and approved the results of admission exams, hence admitting 20 candidates for judge position and 25 candidates for prosecutor position. A specific element for the respective year of reference was the analysis and validation of the outcomes of the complex professional assessment of the trainers from the trainers' network.

**NIJ Executive body performance** varied among the subdivisions, depending on the consistency of the carried out activities and available resources.

Hence, *the didactical-methodological activity* aimed to achieve the modernization of the training process in line with the policy documents in the didactical-methodological area. As a result of the didactical-methodological activity: training plans were developed in line with the NIJ methodologies; 91 curricula were updated for the subjects included in the initial training plans; the NIJ book fund was completed, ensuring the beneficiaries with the teaching-methodological materials necessary for the training process of the target group.

*The contest for admissions to the NIJ* in 2015 was carried out in line with the Calendar approved by the NIJ Board and 20 candidates for judge position and 25 candidates for prosecutor position were enrolled. *The initial training* and internships for the candidates to positions of judges and prosecutors, and appointed court clerks, judicial assistants and probation advisors was organized based on the Training Plans, approved by the NIJ Board.

When finishing the fulfilment of the Training Plans, all the candidates for judge and prosecutor positions passed ***graduation exams***, while the appointed court clerks, judicial assistants and probation advisors finished their studies by taking the professional competence exams. At the same time, the year of reference was marked by launching the procedure for organization of professional competence exams for the candidates for judge position based on the length in services.

The process for planning, fulfilling, monitoring and evaluating the ***continuous training*** activities was carried out in coordination with the institutions active in this area. All the 242 planned activities were fulfilled successfully. Additional training events were organized by the NIJ with the development partners' support, meant for different beneficiaries and adjusted to different relevant aspects, as described in the report. In total, 6.925 persons benefited from training within 260 fulfilled training activities. All the continuous training actions mentioned in the national strategic documents were fulfilled, and even extended in duration thanks to the support provided by the development partners. The participation of the international experts together with the NIJ trainers allowed an efficient exchange of good practices and professional experience. An added value of this training was the involvement of occasional trainers – representatives of some state institutions, who have increased the efficiency and diversity of the interdisciplinary training. The quality assessment of the training programs confirms the benefic effects on increasing the professional qualifications of the NIJ beneficiaries, although there are no qualitative indicators at the present moment.

The ***training of trainers'*** activity aimed in 2015 to develop the professional skills of the teaching staff. During the period of reference, the focus was directed to the organization and good operation of the planned training activities, and the identification of the training of trainers' needs. The strengthening of the trainers' network determined the complex professional assessment so as to comply with the Status of NIJ Trainer, approved by the NIJ Board in 2014.

The development of the new information system of the NIJ (site and intranet) served as basis for upgrading the NIJ activity management and creating new options for its beneficiaries. The initiation of the electronic questioning for assessing the quality of initial training, continuous training, and training of trainers proved the viability of the solution and its capacity to facilitate the rational use of resources. The NIJ information resources' hosting on the joint governmental technological platform - MCloud represents another action which upgraded the way in which the information resources are managed.

The new approach of ***distance learning*** was implemented through numerous courses attended by 271 beneficiaries, of whom 178 were certified. The beneficiaries appreciated positively the quality of trainings, and some of them attended a number of distance learning courses organized by the NIJ – a fact which points out the accessibility of this development method.

The technical-information maintenance of the software and hardware elements, internal network, local server, email boxes of the NIJ employees assured the functionality of the technical resources necessary for the NIJ activity, and the support provided by the development partners (LEAVITT, USAID – ROLISP, UNDP) was significant. Hence, as a result of the NIJ collaboration with the development partners, the Institute established a modern system of video-conferences; a LED monitor was donated and 100 tablets for electronic questioning; a PC room was equipped with modern work spaces.



Since its establishment as a guarantee of professional standards in justice, NIJ succeeded to enhance its *collaboration relations* with the national and international partners, to create a favorable external image, and to become a prestigious national institution for professional training of future judges and prosecutors. The activity of NIJ's development partners is facilitated and coordinated with the assistance of the DCC, which meets on quarterly basis within NIJ premises.

*The NIJ's relations with the public* have really progressed in 2015 as compared to the previous year. A proof in this respect would be the increased number of carried out activities and positive appreciation provided by the beneficiaries regarding: trainees' training in the area of non-judicial skills; web-site operation, which has increased up to 4.227 readers of some pieces of information; NIJ image promotion in mass-media; publication and distribution of the NIJ quarterly magazine<sup>3</sup>. As well, there were developed the NIJ Communication Strategy, the Authorized Administrator's Manual, the new symbol of the NIJ, and other promotional materials.

The need to reform the justice sector has determined the imminent review of the training processes within the NIJ. In order to pursue justice, it is necessary to have personnel trained in line with European standards. Hence, the fulfilment of the objectives set in the Action Plan for implementing the NIJ Strategy for 2012-2016 conditioned certain requirements for the *human resources management* within the NIJ. At the same time, to foster the implementation of the objectives assumed in the JSRS, it was necessary to make changes in the staffing frame of the institution. The lack of financial means decreased human resources' involvement in the gradual development of the training processes.

According to the public institution status, the NIJ *manages public financial resources* and is fully financed from the state budget. The functional and institutional analysis of the financial resources aims to improve and optimize the level of NIJ budget execution. The rate of NIJ budget execution in 2015 accounts for 97.71%, which is a very good indicator.

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<sup>3</sup>Targeting a new (B) level for accreditation of scientific publications.

## PART I. JSRS IMPLEMENTATION

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*The implementation of the JSRS witnessed a significant progress in 2015, when the NIJ carried out a number of remaining strategic actions, such as: establishing objective criteria for determining the necessary financial means for initial and continuous training, organization of training courses for authorized administrators, development of the authorized administrator's manual. Practical successes were achieved in creating the online program for NIJ communication with the training beneficiaries, as well as in establishing the joint electronical database of the NIJ, SCM and GPO regarding the number of continuous training hours accumulated annually, and information systems which were under testing by the end of the year.*

*Backlogs are registered for the following chapters: Creation of a Legal Information Center accessible for judges, prosecutors, and representatives of other legal professions; Development of curricula and organization of initial and continuous training courses for representatives of professions related to the justice system; Organization of initial training courses for heads of court secretariats; Development of drafts for amending the internal normative framework if the NIJ in line with the legislation modifications; Finishing the reconstruction of the NIJ premises so as to ensure adequate training conditions for judges, prosecutors, and other representatives of the justice sector.*

### 1.1. Fulfillment of planned actions

Just like in the previous years, the NIJ focused its efforts on implementing the JSRS, approved via the Law No. 231 dated 25.11.2011, as well as the Action Plan for implementing the JSRS for 2011-2016, approved via the Parliament Decision No. 6 dated 16.02.2012.

The NIJ is involved in carrying out 78 strategic actions, being the first responsible institution for implementing 59 actions and co-implementer in other 19 actions. Hence, the NIJ is ranked on the II place in the top responsible institutions for implementing actions from the JSRS, following the Ministry of Justice and preceding the Superior Council of Magistracy and General Prosecutor's Office.

All over the year, NIJ representatives for each of the I-VII pillars of the JSRS attended the meetings of the Groups established for coordinating and monitoring JSRS implementation and fulfillment. The NIJ representatives presented during the respective meetings reports on different areas of activity. The report regarding the gradual fulfilment by the NIJ of the actions provided in the Action Plan for JSRS implementation is presented in *Annex No. 3*.<sup>4</sup>

It should be mentioned that the year of reference was marked by setting objective criteria for determining the necessary financial means for initial and continuous training, organization of training courses for authorized administrators, development of the authorized administrator's manual, as well as fulfilment of all continuous training activities.

While fulfilling its duties, the NIJ encountered a number of impediments which made it difficult or even impossible the implementation of some of the national strategic actions.

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<sup>4</sup> Annex No. 3 to the Activity Report for 2015 may be accessed on: <http://inj.md/ro/rapoarte-anuale-0>.

### ***Partially fulfilled actions***

The *creation of a Legal Information Center accessible for judges, prosecutors, and representatives of other legal professions* was not a success, because the MF refused to allocate personnel units necessary for the good operation of the center. Nevertheless, as it was a very important action for streamlining the NIJ's activity, measures were undertaken to equip the center's hall with necessary equipment, and procurement procedures were fulfilled to procure some goods for the good organization of the hall and future operation of the center. LEAVITT provided a video-conference system for the hall suggested to be the LIDC, and some components which were not envisaged initially were procured from the NIJ budget. As well, with the UNDP Moldova Project's assistance, an expert was contracted to assess the needs and the standards of such a center. The expert's report will serve as basis for deciding on the further-on measures to be undertaken.

*The creation of the online program for NIJ communication with the training beneficiaries so as to identify the training areas and to organize training workshops, as well as the establishment of the joint electronical database of the NIJ, SCM and GPO regarding the number of continuous training hours accumulated annually by every judge, prosecutor or another representative of the justice sector, number of subjects* are almost finished. Both, the information system, as well as the database were developed with the assistance provided by USAID ROLISP and are under testing operation process.

As for the *revision of the modalities for selecting the teaching staff and the composition of the NIJ Board, the revision of the NIJ administration system* – only the revision of the modalities to select the teaching staff was fulfilled, as the implementation of the other aspects will be possible only after amending the Law on the NIJ.

Because of lack of normative framework and financial means, but thanks to the NIJ partners, partial fulfillment was achieved for the actions related to *development of the initial training curricula and of the training plan for continuous training of the representatives of justice system related professions*, as well as *organization of initial and continuous training courses for representatives of justice system related professions*. A number of 47 workshops were organized in partnership with CESD, EBRD, AGEPI, NORLAM, CEC, CETC, CoE, CCAP, SOROS, and a number of 435 persons were trained (323 lawyers, 45 bailiffs, 16 mediators, 51 authorized administrators). However, NIJ has difficulties to fully implement this action, as there is no legislative and normative framework to regulate the organization and financing of continuous training of justice-related professions' representatives. At the same time, the Law on the NIJ does not set forth how to organize and carry out initial training courses for the representatives of the justice-related professions on contractual basis.

The action related to *organization of initial and continuous training courses for court administrators* was carried out under the continuous training component.

The initial training for heads of court secretariats was not performed because of insufficient number of persons due to non-recruitment of new person in such court positions.

### ***Non-fulfilled actions***

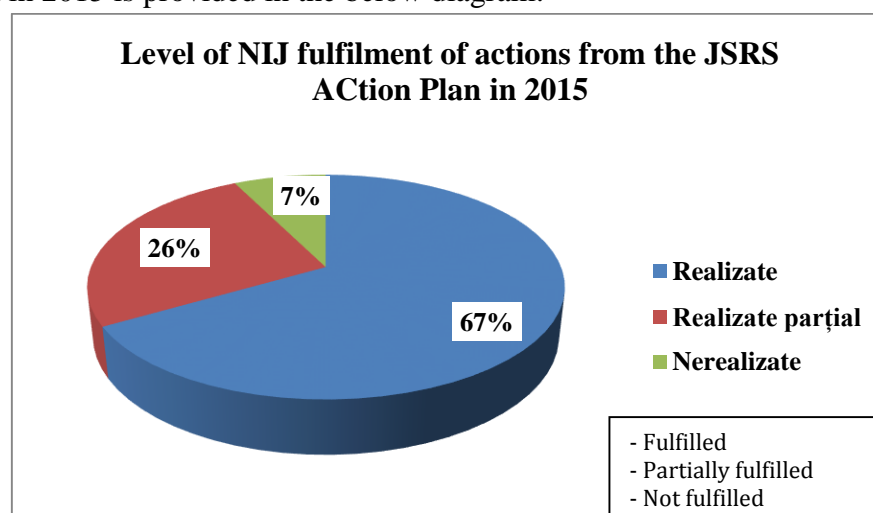
The following actions were not fulfilled out of the 27 strategic actions envisaged for the year of reference:

- *Development of drafts for amending the internal normative framework of the NIJ in line with the legislation modification*, because the relevant bodies did not amend the Law on the NIJ.

- *Finishing the reconstruction of the NIJ premises for ensuring adequate training conditions for judges, prosecutors, and other representatives of the justice sector, because the relevant bodies refused to allocate financial means necessary for building the hotel and cafeteria. Nevertheless, the auxiliary constructions were demolished for the purpose of developing the territory of the Institute.*

## 1.2. Conclusions

The NIJ was the first responsible institution for reporting achievements in 27 actions in 2015 (out of the 59 actions for 2011-2016), according to Annex No. 3 to the present Report. The information regarding the level of NIJ fulfillment of actions from the Action Plan for JSRS implementation in 2015 is provided in the below diagram.



The share of strategy actions' implementation during the year of reference is rather high, hence proving that the NIJ has undertaken the necessary actions to implement the JSRS. Moreover, the JSRS has a positive impact on planning NIJ's activities, although there is a number of reserves and impediments in carrying out some actions which do not depend on the efforts undertaken by the NIJ administrative body.

## 1.3. Necessary actions

The risk still persists for some actions not to be fulfilled. To successfully implement all the actions, it is necessary to undertake the following:

1. For the Parliament of the RM to approve the draft law to amend and complete the Law on the NIJ.
2. For the RM Government to approve the Regulation on how to set and use the special means of the NIJ, as well as the Nomenclature and tariffs for fee-based services provided by the NIJ.
3. For the MF to allocate the personnel units necessary for the LIDC.
4. For necessary financial means to be allocated for equipping the LIDC, finishing the reconstruction of the NIJ premises and developing its territory, as well as for building a training block with canteen.

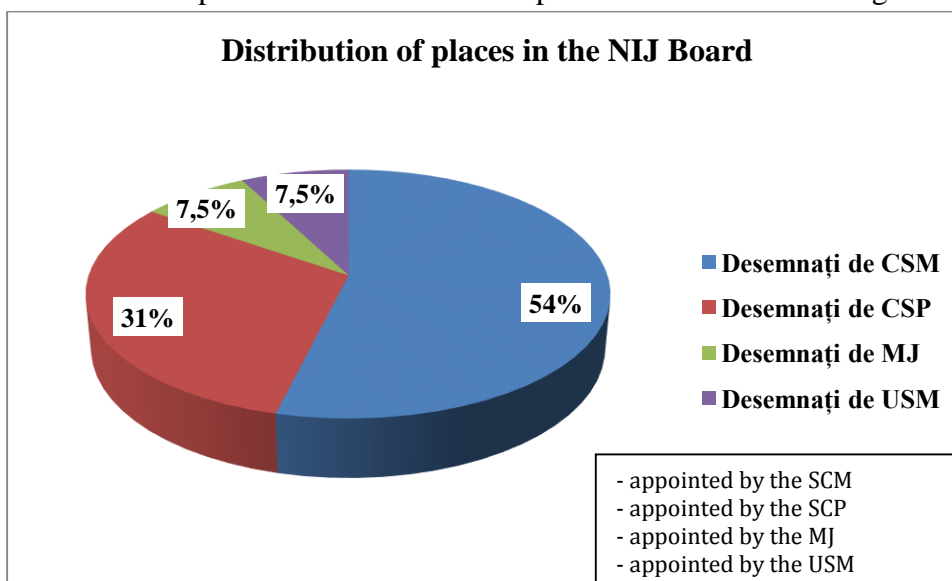
## PART II. NIJ BOARD ACTIVITY

*At the very beginning of the year of reference, a new Executive Director was elected under the NIJ Board, who started exercising her five-year mandate on February 09, 2015. As well, a new Deputy Executive Director was appointed. Traditionally, the NIJ Board approved the results of the graduation exams – for 15 candidates for judge position and 20 candidates for prosecutor position, as well as the results of the admission exams, admitting 20 candidates for judge position and 25 candidates for prosecutor position. A specific aspect for the reported period was the validation of the results obtained in the complex professional evaluation of the trainers from the trainers' network.*

### 2.1. Board composition

The NIJ Board is the supreme leadership body of the NIJ, being composed of 13 members: 7 members appointed by the SCM from judges of courts of different levels; 4 members appointed by the General Prosecutor upon the SCP proposal; 1 member appointed by the MJ and 1 member – law professor, appointed by the Senate of Moldova State University.

The distribution of places in the NIJ Board is presented in the below diagram.



During the reported period, the composition of the NIJ Board suffered small changes – one member-judge and the member appointed by the MJ were replaced, and a new secretary of the Board was elected.

The information regarding the nominal composition of the NIJ Board is published on the NIJ web-site: <http://inj.md/ro/componenta> and is updated. As well, the CVs of the NIJ Board members are published, presenting information about their age, education, qualification, professional activity, awards and honors.

### 2.2. Performance of duties

The Board is convened in quarterly ordinary meetings, as well as extraordinary meetings. The Board decides about the main aspects related to initiative and continuous training, admission and graduation, recruitment of teaching staff, budget, staffing plan and limit-number of personnel, donors' contributions, etc.

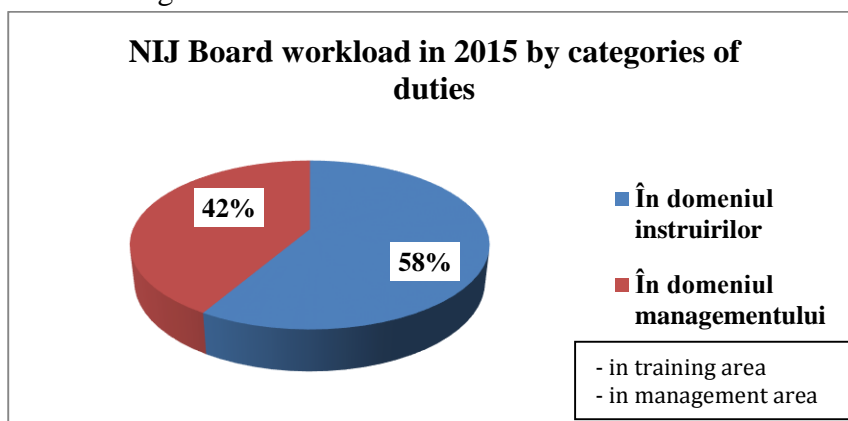
For the purpose of performing its duties, the NIJ Board was convened in 13 meetings during the year of reference,<sup>5</sup> during which 65 issues were discussed and settled.<sup>6</sup>

Traditionally, the Board approved the staffing plan, the draft budget, the composition of the admission and graduation/qualification exams' commissions, results of admission and graduation/qualification exams. It also approved the initial and continuous training plans, subjects' curricula and internships' timetable, and the distance learning plan. The Board approved the trainers' network completion and update, and validated the results of the complex professional evaluation of the trainers from the trainers' network.

The Board's agenda also included the modification of some internal normative acts, modification of NIJ logo, approval of the service card template for the personnel, approval of the draft Collaboration Agreement between the NIJ and National Prosecution Academy of Ukraine, and tackled the new ways for organization of admission exams in the next year.

At the very beginning of the year of reference, the Board organized the contest for filling in the position of NIJ Executive Director, and Mrs. Diana Scobioală was elected for this position with a mandate of 5 years. At the same time, the resignation application of the Deputy Executive Director was approved, and a new Deputy Executive Director was appointed – Svetlana Novac, judge seconded from the SCJ.

The information regarding the workload of the NIJ Board by categories of duties is presented in the below diagram.



The majority of issues discussed by the Board referred to the NIJ basic duties: initial training, contests, exams; continuous training and distance learning; recruitment, evaluation, and training of trainers; didactical-methodological activity – 58%. An important part in NIJ Board's activity is focused on issues related to management, partnerships' development, human and financial resources – 42%.

The multi-disciplinary approach to the issues related to NIJ activity, prompt reaction, and high level of responsibility proved by the Board members is one of the main factors contributing to the successful operation of the NIJ.

<sup>5</sup> The Board's agendas may be accessed on: <http://inj.md/ro/%C5%9Fedin%C5%A3e>.

<sup>6</sup> The Board's decisions may be accessed on: <http://inj.md/ro/hot%C4%83r%C3%Aeri>.

## PART III. NIJ EXECUTIVE ACTIVITY

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### 3.1. NIJ Organizational chart

The NIJ activity is ensured by its personnel providing the planning and the continuous fulfilment of the main duties of the institution. Well-known persons in the country and abroad are part of the NIJ team, as well as young specialists, who bring a new breathe in the institution. Although a new Executive Director was elected, the composition of the structural subdivisions remained practically the same, with insignificant changes related to labor relations in any institution.

In 2015 the NIJ structure remained unchanged, being composed of the following **structural subdivisions**:

- I. *NIJ leadership*, including: Diana Scobioală, Executive Director, and Svetlana Novac, Deputy Executive Director, seconded judge from the SCJ, being assisted by Olga Pisarenco, Executive Director Advisor.
- II. *Training and Research Division*, led by Mariana Pitic, Head of Division, seconded judge from Center Court house, Chisinau mun. This division included:
  1. *Initial Training Section*, led by Iulia Gorbatenco, having one consultant and 8 trainers in her subordination;
  2. *Continuous Training Section*, led by Ecaterina Popa, having 6 consultants and 6 trainers in her subordination;
  3. *Training of Trainers and International Relations Section*, led by Valentina Conțescu, having 2 consultants and 2 trainers in her subordination;
  4. *Non-legal Skills, Public Relations and Editing Section*, led by Gheorghe Budeanu, having one consultant, one specialist and 4 trainers in his subordination;
  5. *Didactical-methodological and Research Section*, led by Valeria Șterbeț, having 3 consultants and 6 trainers in her subordination;
  6. *e-Transformation, e-Learning and IT Section*, led by Tatiana Ciaglic, having 2 programming coordination specialists and 2 trainers in her subordination.
- III. *Economic-Administrative Division*, led by Raisa Cravțov. The division included:
  1. *Economic-Financial Section*, led by Ana Repeșciuc, having 3 consultant and 1 main specialist in her subordination;
  2. *Logistics and Administrative Section*, led by Alexandru Țeli, having 2 main specialists, 1 specialist, and 6 auxiliary employees in his subordination.
- IV. *Human Resources Section*, led by Eugenia Kistruga, having one consultant and one main specialist in her subordination.

It should be mentioned that in the year of reference only the names of some sections was changed. In this context, the Human Resources and Documentation Section became Human Resources Section, and the Financial Section was renamed as Economic-Financial Section.

The staffing plan remained the same as number of units and the same distribution of the main tasks by positions. In total, the NIJ has 73 personnel units, out of whom: 13 leadership personnel units, 28 trainers, 26 servants, 6 workers. During the year of reference the staffing rate accounted for 98.63%.

## **3.2. Didactical-methodological activity**

*The didactical-methodological activity was focused on modernizing the training process in line with the policy documents existing in the didactical-methodological area. Training plans were developed in line with the NIJ methodologies. A number of 91 curricula were developed or updated, as needed, for the subjects included in the initial training plans, so as to be in line with the requirements set in the Methodological Guideline, by implementing active-participation training methods deriving from adults' education principles. As well, the NIJ book fund was completed, ensuring the beneficiaries with the necessary didactical-methodological materials for the training process.*

### **3.2.1. Implementation of the methodologies for determining the training needs**

For the purpose of developing the *Plan for Initial Training of the candidates for judge and prosecution positions during October 01, 2015 – March 31, 2017*, the NIJ carried out a number of activities to assess the needs in the respective area, using different evaluation methods and tools in line with the Methodology for determining the needs in the area of initial training of candidates for judge position, approved via the NIJ Board Decision No.13/3 dated 27.12.2013, and the Methodology for determining the needs in the area of initial training of candidates for prosecutor position, approved via the NIJ Board Decision No.1/3 dated 31.01.2014, as follows:

- Analysis of documents and other information sources of the NIJ: Plan for initial training of candidates for judge and prosecutor positions for 2014 – 2016; Report on determining the needs of initial training of candidates for judge and prosecutor positions, approved via the NIJ Board Decision No. 12/7 dated 31.10.2014; proposals of NIJ donors expressed within the DCC meetings, other relevant documents.
- Carrying out compared studies: Compared Study of the NIJ Plan for initial training of candidates for judge and prosecutor positions and the Program for professional training of justice auditors of the NIMR; Compared analysis of NIJ subject curricula with the subject curricula of USM and ULIM, so as to exclude repetition of programs; Compared analysis of the contents of subjects/subject content from the NIJ Plan for initial training of candidates for judge and prosecutor positions so as to exclude the overlap of thematic content.
- Concept proposals of the initial training plan developed by the groups of trainers in civil law, procedural law, criminal and criminal procedural law, resulted after the discussions in focus-groups within joint meetings.

The draft plan was subject to an evaluation carried out by a consultant contracted by the UNDP Project, who suggested some completions and improvements, especially – new subjects: International Law, Legal Editing and Stylistics, Victimology, replacing the subjects on Organization of courts' and prosecutor officers' activity, Ethics and Deontology of Judges and Prosecutors through managing and streamlining the courts, judicial time management, and judges' professional ethics, Management of the Prosecution Service and Prosecutors' Professional Ethics. Hence, that plan was updated and adjusted to the current standards and needs of the justice sector in the RM and represents the result of a wide consultative process with the national constituents (from different institutions of the justice sector in the RM) and international ones (UN and Council of Europe). Thus, the NIJ Board Decision No. 9/5 dated



25.09.2015 approved a new conceptual initial training plan, serving as basis for carrying out the training of the trainees from the IX graduation flow.

The development of the *Plan for initial training of court clerks and judicial assistants for 2015* took into account the proposals deriving from the consultation with the SCM, court chairs, and the suggestions of the MJ/JAD. The Plan was approved via the NIJ Board Decision No. 6/6 dated 03.07.2015.

The development of the *Plan for initial training of the probation advisors for 2015* took into account the proposals of the MJ and CPO, as well as the practice of probation advisors' training in 2013 and 2014. The Plan was approved via the NIJ Board Decision No. 6/7 dated 03.07.2015.

For the purpose of developing the *Plan for continuous training of judges and prosecutors for 2016* in line with the Methodology for determining the needs of judges' continuous training, approved via the NIJ Board Decision No. 13/3 dated 27.12.2013, and the Methodology for determining the needs of prosecutors' continuous training, approved via the NIJ Board Decision No. 1/3 din 31.01.2014, the *Plan for continuous training of the court personnel, probation advisors and other categories working in justice sector in 2016*, in line with the Methodology for determining the training needs of the court clerks and judicial assistants, heads of court secretariats and probation advisors, approved via the NIJ Board Decision No. 9/2 dated 18.07.2014, the continuous training needs' identification was performed among the respective categories of beneficiaries.

By using the approved methods and the tools for assessing the continuous training needs of judges and prosecutors, notes were sent to the SCM, SCP, SCJ, GPO, MJ, courts, AJM, JAD, CPO, and NCSGLA. The thematic information, proposals, and recommendations formulated by the interested institutions and direct beneficiaries were selected, generalized, and systematized by areas of interest. The priority thematic areas/units were identified and used as basis for concluding the draft continuous training plans.

In general, the thematic formulation has taken into consideration the provisions from: Action Plan for JSRS Implementation; Action Plan for Implementation of the NIJ Strategy; National Action Plan for implementing the RM-EU Association Agreement for 2014-2016; Report on judges' and prosecutors' continuous training needs' assessment and previous Programs for continuous training; Generalization of statistics and case-law regarding certain categories of cases reviewed in the courts over the last years; Proposals of NIJ trainers regarding continuous training topics; Proposals coming from the SCM, SCJ, SCP, GPO, MJ, CPO; Recommendations and other documents of European and regional organizations covering the RM commitments, especially: Advisory Note No. 4 of the European Judges' Consultative Body regarding the corresponding initial and continuous training of judges; Recommendation CM/Rec (2010) 12 of the Committee of Ministers of the CoE on judges: independence, efficiency, and responsibility; Recommendation Rec (2000) 19 of the Committee of Ministers of the CoE on prosecutors' role in criminal justice system; Note (2012) No. 7 al of the European Prosecutors' Consultative Board regarding the management of criminal investigation services, adopted in Strasbourg on September 26-27, 2012 and other.

Both continuous training plans were approved via the NIJ Board Decision No. 9/4 dated 25.09.2015.

### **3.2.2. Development of subject curricula and other didactical-methodological materials necessary for the training process**

The coordination of the didactical-methodological process is mainly focused on developing and implementing active-participative training methods deriving from adults' education principles. Hence, in the area related to the coordination of subject curricula development, update and implementation, and development of didactical-methodological materials necessary for the training process, the NIJ provided methodological support to trainers for developing and updating the subject curricula in line with the methodological requirements approved by the NIJ Board for initial training of:

- candidates for judge and prosecutor position in III semester, according to the training plan for 2013-2015, graduation class VII, in total – curricula for 12 subjects;
- candidates for judge and prosecutor position in II and III semesters, according to the training plan for 1 October 2014 - 31 March 2016, graduation class IX, in total –curricula for 35 subjects, as well as internship curriculum;
- candidates for judge and prosecutor position in I semester, based on the initial training plan for 1 October 2015- 31 March 2017, graduation class VIII, in total – curricula for 12 subjects;
- court clerks and judicial assistants, according to the initial training plan for court clerks and judicial assistants for 2015 (for the training period 6 July - 9 November 2015, according to the academic calendar), in total - 15 subject curricula and internship curriculum;
- probation advisors, based on the initial training plan for probation advisors for 2015 (for the training period 3 August – 2 November 2015, according to the academic calendar), in total – 15 subject curricula and internship curriculum.

As well, didactical-methodological assistance was provided to trainers for drafting and implementing the subject curricula within training activities. There was endorsed the curriculum for continuous training on “*Training the interviewers hearing children – crime victims/witnesses*”, carried out by CNPAC in collaboration with NIJ. There was also endorsed the curriculum and the course support for the continuous training of judges and prosecutors on “*Efficient investigation of torture, inhuman or degrading treatment crimes. Medical-legal and psychological aspects*”, carried out by a group of experts through UNDP Project and *E-Migration Guide*.

### **3.2.3. Assessing the training process quality**

In line with the provisions of the Methodology for assessing the quality of training courses, during 2015 the NIJ assessed the trainers included in the trainers' network, and the occasional trainers, if needed.

The trainers who delivered initial training programs were assessed: a) periodically, during the period the specific subject was taught, according to the assessment form from Annex No. 1 of the Methodology; b) by the end of subject course, by the trainees, based on an internal-use questionnaire – Annex No. 2 of the Methodology.

The trainers who delivered continuous training courses, including the training of trainers, were assessed: a) within the continuous training activity delivery, based on a general questionnaire – Annex No. 6 of the Methodology, filled in before the end of the training continuous activity by the beneficiaries of the continuous training; b) questionnaires usually

filled in only regarding the trainers who have delivered at least 4 academic hours per day/seminar, according to the training agenda.

The results of trainers' performance evaluation were generalized on annual and biannual bases. Reports with corresponding conclusions were concluded based on these generalizations. Hence, the following reports were developed during 2015: Report on implementation of the Methodology for assessing the quality of training programs within NIJ during 2014 (26.02.2015) and Report on results of trainers' evaluation based on the Methodology for assessing NIJ training programs' quality during the first semester of 2015 (10.07.2015).

Periodically compliance checks were carried out for the training educational documents developed by trainers (course/seminar plan per each thematic unit, if needed – scenario-plan for mock trial, afferent teaching materials) with the methodological requirements and recommendations, as well as for training performance in line with the respective requirements and recommendations, and consultative support was provided for developing the tools for training activity assessment and self-assessment.

#### **3.2.4. Managing and completing the NIJ book fund**

In the context of transforming the NIJ Library into a Legal Information and Documentation Center, the library book fund and furniture were reallocated in the two new halls: Reading Hall and Library Fund Preserving Hall.

The library has concluded for 2015 subscriptions for periodical publications – 3 newspapers and 13 magazines. The book fund was completed with legal literature - 8 titles, in total 192 copies, of which: procured - 1 title (30 copies) and donated 7 titles (162 copies). The donations were made by SCJ and SOROS.

The Reading Hall is equipped with 3 PCs and one service PC with printer, all of them connected to Internet and MoldLex. There was installed the video-conference system (two monitors, one camera, two microphones, Polycom system) donate by LEAVITT. The system allows organizing interactive video-conferences.

### **3.3. Admission, initial training, and graduation**

*Admission competition in the NIJ for 2015 was carried out in line with the Calendar approved by the NIJ Board, and 20 candidates for judge position and 25 candidates for prosecutor position were enrolled. The initial training and the internships of the candidates for judge and prosecutor position, as well as that of appointed court clerks, judicial assistants, and probation advisers was organized based on the Training Plans approved by the NIJ Council. By the end of Training Plans' implementation, all the candidates for judge and prosecutor positions passed the graduation exams, and the appointed court clerks, judicial assistants, and probation advisors ended their studies by taking the professional competence exams. At the same time, professional competence exams were also organized during the year of reference for the candidates for judge position based on their length in service.*

#### **3.3.1. Admission competition**

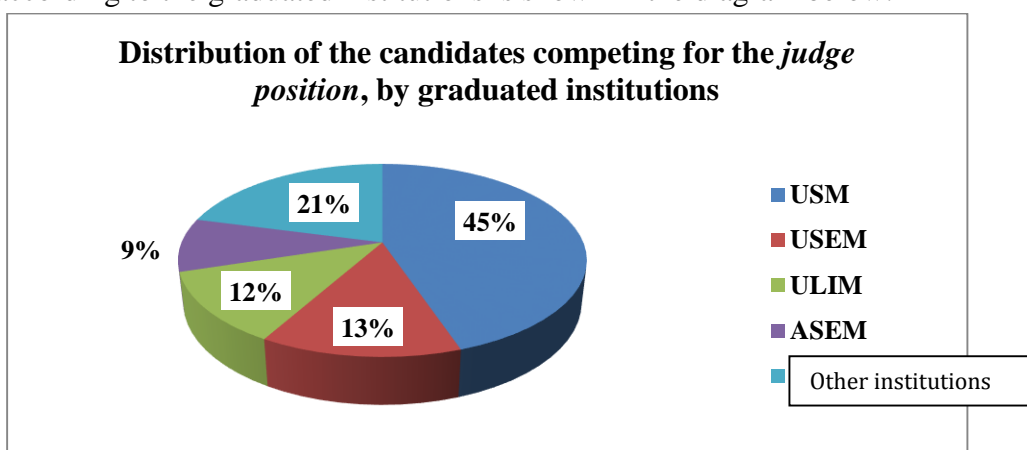
In line with art.13 of the [Law on NIJ](#) and [Regulation for organization of the admission competition for judges' and prosecutors' initial training courses in the NIJ](#), the admission of the

candidates for judge and prosecutor positions to the initial training courses is organized exclusively on competition basis, observing the principles of transparency and equality in rights. The competition was organized in line with the [Calendar](#) approved by the NIJ Board. To ensure population access to information, the respective announcement was posted on NIJ web-site and the announcement board in NIJ hall, as well as in the newspaper “Dreptul” (Law).

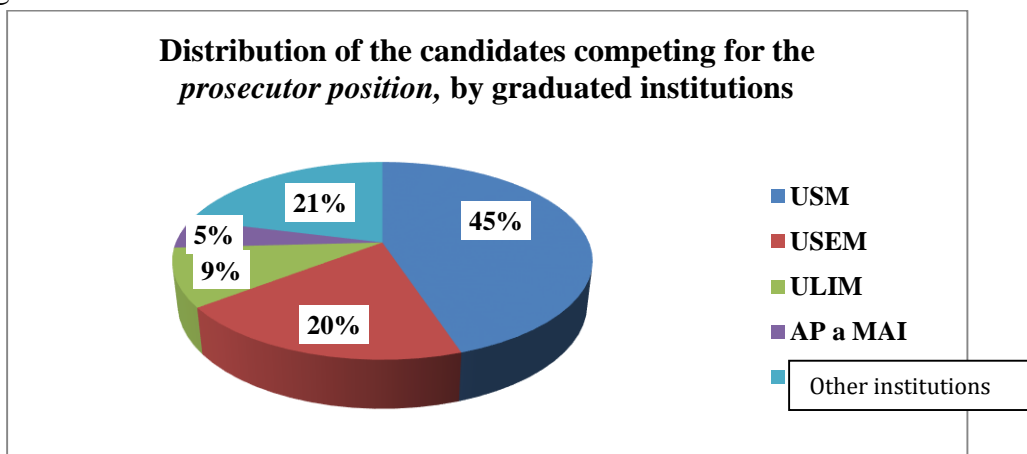
*The Commission for organizing and carrying out the admission competition* was established based on the Order of the Executive Director, being composed of 4 members appointed from the administrative personnel, which has ensured the good organization and implementation of the competition.

During July 01 – 1 August, the Commission registered **215 applications**: 67 applications to candidate for judge position and 148 applications to candidate for prosecutor position. For the purpose of informing the general public, the lists of the candidates registered in the competition was posted on the web site and displayed on the announcement board in NIJ hall. It should be mentioned that the number of participants registering for the competition is increasing from year to year.

The participants registered for the judge position competition have graduated from: USM – 30 persons, USEM – 9 persons, ULIM – 8 persons, ASEM – 6 persons, other institutions – 14 persons. The information regarding the distribution of the competing candidates for judge position, according to the graduated institutions is shown in the diagram below.



The participants registered for the competition for prosecutor position have graduated from: USM – 66 persons, USEM – 29 persons, ULIM – 14 persons, PA of the MIA – 7 persons, other institutions – 31 persons. The information regarding the distribution of the competing candidates for prosecutor position, according to the graduated institutions is shown in the diagram below.



***The working group for developing the tests and cases*** was established by the NIJ Board, being composed of 8 members appointed from among judges, prosecutors and university teaching staff. The group developed 400 grid tests for the written part and 200 cases for the oral part of the admission exams.

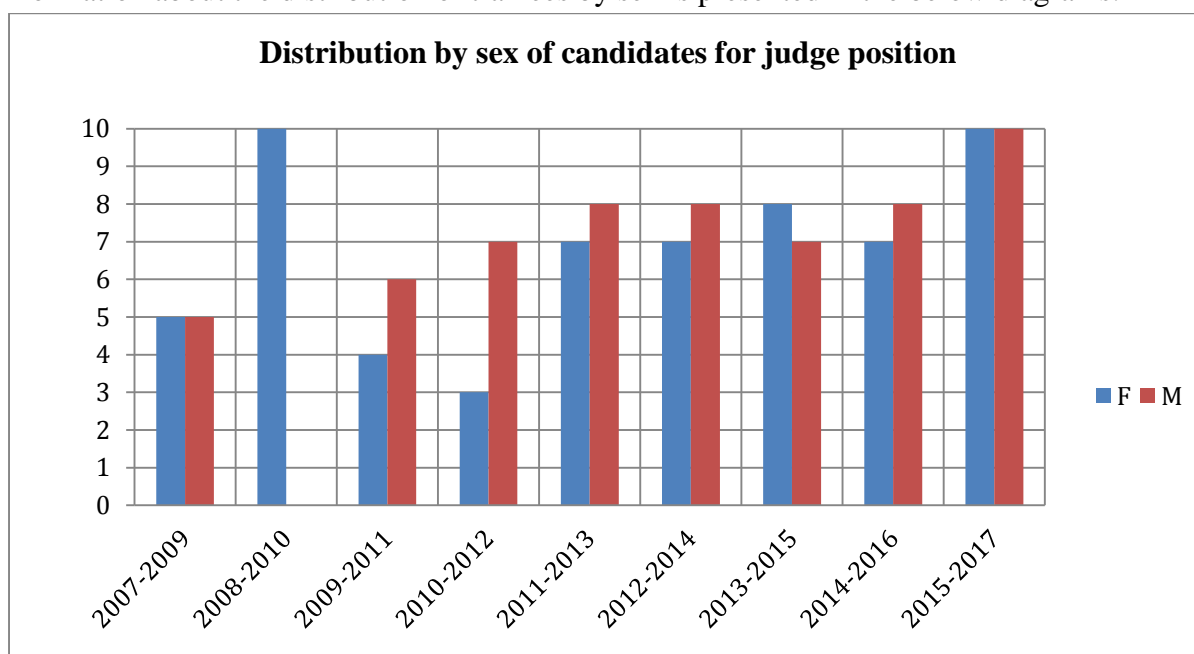
***The Commission for admission exams*** was established by the NIJ Board, being composed of 5 members, appointed from among judges, prosecutors and university teaching staff.

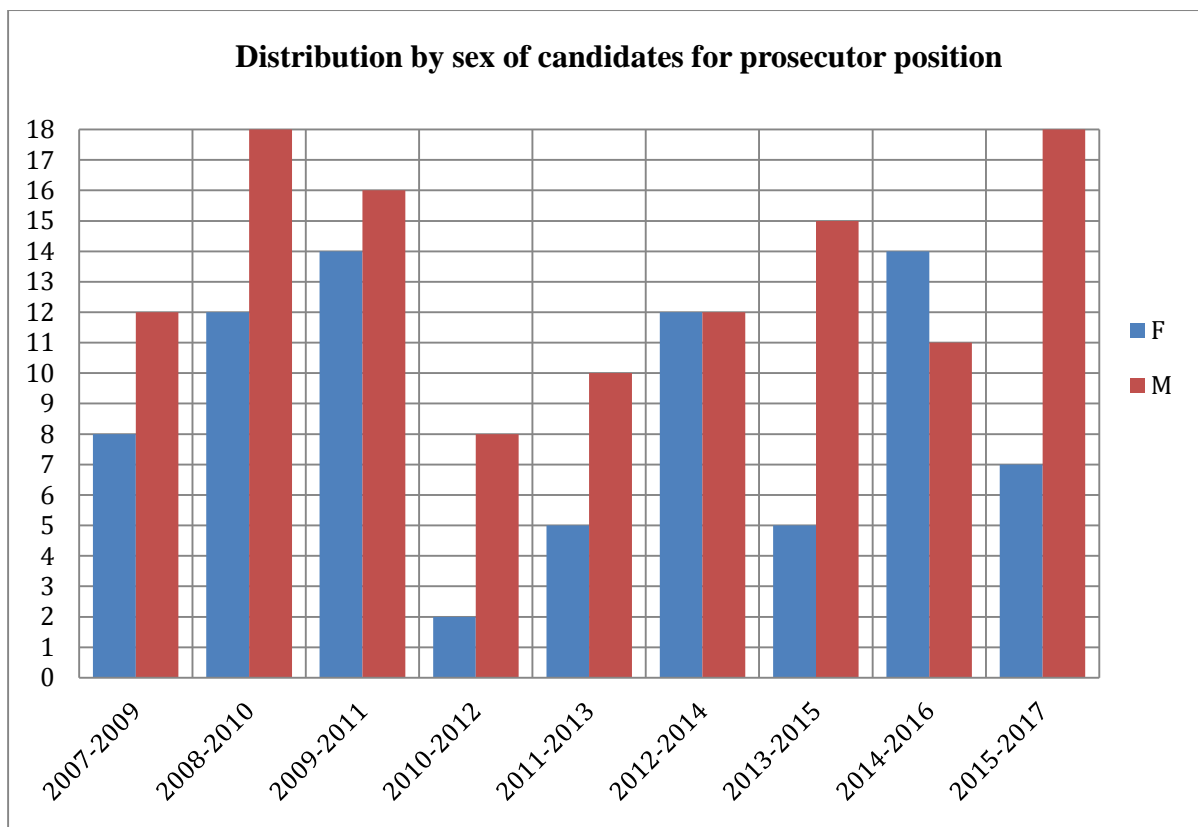
A number of 63 persons out of the 67 registered ones came to take the grid-test for the 20 places for judge position and 139 out of 148 persons registered for the 25 places for prosecutor position. It should be noted that there were 3 persons per place of judge position and almost 6 persons per prosecutor position. The records with the rating and the obtained grade were posted on time in the NIJ hall.

The oral test was passed by 91 candidates, of whom 40 for the judge profile and 51 for the prosecutor profile, and this was double the number of the places suggested in the competition. The records with the obtained average grade were posted on the very same day in the NIJ hall.

The Commission for admission exams presented the admission exam results to the NIJ Board, which has approved them via the Decision No. 9/1 dated 25.09.2015. Based on the Executive Director order, 20 candidates for judge position and 25 candidates for prosecutor position were enrolled for the initial training courses in the NIJ, for a period of 18 months, starting on 01.10.2015. The trainees were familiarized (and signed the list that they got familiarized) with the respective normative document relevant for initial training in the NIJ.

A balance may be noted over the years of the NIJ activity regarding gender equality among the candidates for judge position and a wider gender gap for prosecutor profile. The information about the distribution of trainees by sex is presented in the below diagrams.





### 3.3.2. Fulfilment of training plans

**The initial training of the candidates for judge and prosecutor position** who were admitted for studies in 2015 (**graduation class IX**) was carried out in line with the [Initial Training Plan](#), approved via the NIJ Board Decision No. 9/5 dated 25.09.2015, which includes the fundamental training subjects for judges and prosecutors.

During the first semester, the trainees studied in mixed groups 12 subjects of fundamental training and initiation in profession. In 2015 the trainees of the IX graduation class attended English language courses, this being a compulsory subject provided free of charge and without any expenses from the NIJ budget. This was possible due to the Collaboration Agreement signed between the NIJ and the Private Education Institution – Theoretical Lyceum „Orizont” from Chisinau, which provided English language trainers.

By the end of every subject course, trainees’ knowledge was assessed. The evaluation methodology was modified based on the opinions provided by the trainees from the previous years and the analysis of other institutions’ programs was considered. The assessment provided by the trainees for trainers and training subjects is taken into consideration for improving the training plans.

The trainees from the **VIII graduation class** continued their training in line with the [Training Plan for initial training courses 1 October 2014 – 31 March 2016](#). In January, all the trainees took the winter session exams and all of them were passed to the II semester.

In the II semester, the trainees studied joint subjects and separate subjects, according to the training plan. As well, they have studied an optional subject, chosen by the trainees: Combating domestic violence. The training was carried out in line with the calendar, the trainees were subject to differentiated colloquiums and exams and all of them were passed to the III semester.

III semester – internships and applicative semester – was modified taking into consideration the proposals of the trainees and the opinions of the internship leaders from the previous years. According to the [modified calendar](#), the III semester started with the subjects which were envisaged to be studied after the internship. All the trainees have chosen “Justice for Children” as an optional subject. As a result, after passing the differentiated colloquiums, the internship continued within the criminal investigation bodies, courts, and prosecutor service bodies, under the guidance of a mentor from the internship places in Chisinau mun., and Orhei rayon, appointed by the SCM, SCP and GPI.

The internship was carried out in line with the provisions set in the [Regulation on organization and carrying out the internship for NIJ trainees](#). Periodically, the interns – trainees were subject to current evaluations. According to the modifications made in the academic calendar, trainees’ theoretical and professional training level increased, focusing on applying the knowledge accumulated in relation to the subjects deriving from different categories of cases. The tasks assigned to them were fulfilled on-time; the activities provided in the curriculum were coordinated with the internship mentor; and the quality of the concluded draft procedural acts was good. In internship mentors’ opinion, the interns-trainees provide them a lot of assistance during the day-to-day activity.

During October – December, the interns-trainees participated in mock trials organized by the trainers in the mock trial hall in the NIJ. The interns-trainees participated in civil mock trials in the area of labor law, administrative law, insurance contracts, defense of honor, dignity, and professional reputation, prosecutor’s request in the interest of the elderly person, and criminal mock trials in cases related to crimes of circumvention, offences in the transportation area, crimes against a person’s life and health, crimes against public security and order, crimes against public health and social cohabitation.

The initial training of the candidates for judge and prosecutor positions enrolled in 2013, **VII graduation class**, finished successfully in line with the [Training Plan 1 October 2013 – 31 March 2015](#). After the final evaluation in the III semester, there was calculated the general average of the grades accumulated by the trainees of the graduation class VII during the training years 2013-2015, I-III semesters, afterwards they passed the graduation exams.

**The initial training of judicial assistants and court clerks** within the NIJ was carried out in line with the [Initial Training Plan for judicial assistants and court clerks](#). Based on the Executive Director Order, 20 judicial assistants and 16 court clerks were enrolled for the period July 06 – August 16, according to the academic calendar. During September 14 – October 25, the judicial assistants and court clerks were distributed to perform their internships.

The Commission for professional competence exam for judicial assistants and court clerks was approved via the Board Decision No. 9/3 dated 25.09.2015. The professional competence exam was carried out over three days: two days – written test and one day – oral test. A number of 15 judicial assistants out of 20, and 10 court clerks out of 16 have graduated the initial training courses, the rest were expelled due to different reasons.

After passing the professional competence exams, the judicial assistants and court clerks received certificates confirming their graduation of the initial training course.

**The initial training of the probation advisors** within the NIJ was carried out in line with the [Initial Training Plan for probation advisors](#). Based on the Executive Director Order, 16 probation advisors were enrolled for a period of 3 months, starting in 10.08.2015, according

to the academic calendar. The internship was carried out under the guidance of the heads of probation offices, who were appointed as internship mentors.

The Commission for the professional competence exam for probation advisors was approved via the NIJ Board Decision No. 9/2 dated 25.09.2015. The professional competence exam was taken during one day. Only 11 out of 16 probation advisors have graduated the initial training courses, the rest being expelled due to different reasons, mainly due to removal from office.

After the professional competence exam, the probation advisors received certificates confirming their graduation of the initial training course.

### **3.3.3. Graduation exams**

According to art.17 par. (3) of the Law on the NIJ and chapter VII of the Regulation on Initial Training and Graduation, after finishing the training courses in the NIJ, the candidates for judge and prosecutor positions take graduation exams, which include theoretical and practical tests, with different topics for judged and prosecutors, which verify how well they have assimilated the knowledge necessary for exercising the position of judge or prosecutor.

The graduation exams were taken in front of the separate Commissions for Graduation Exams and included two stages:

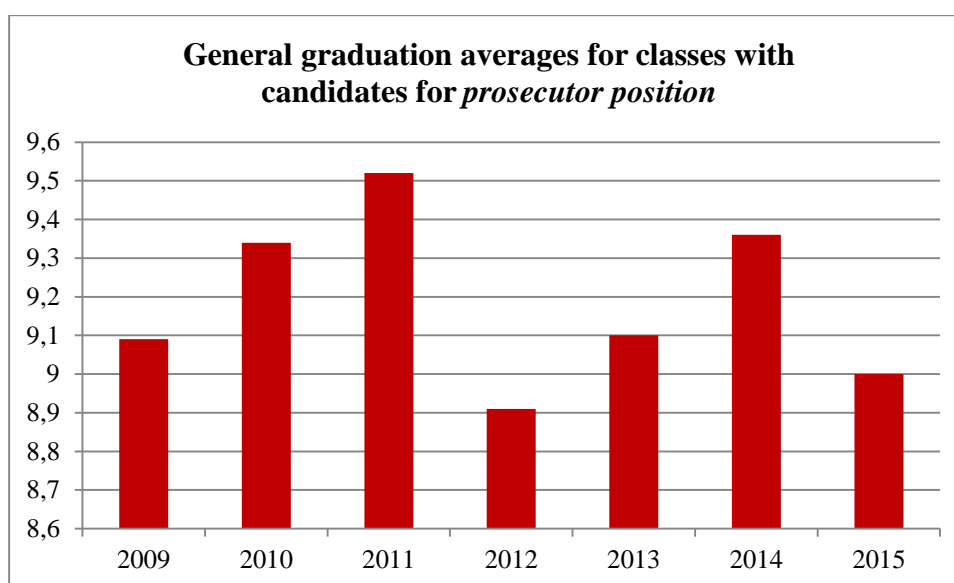
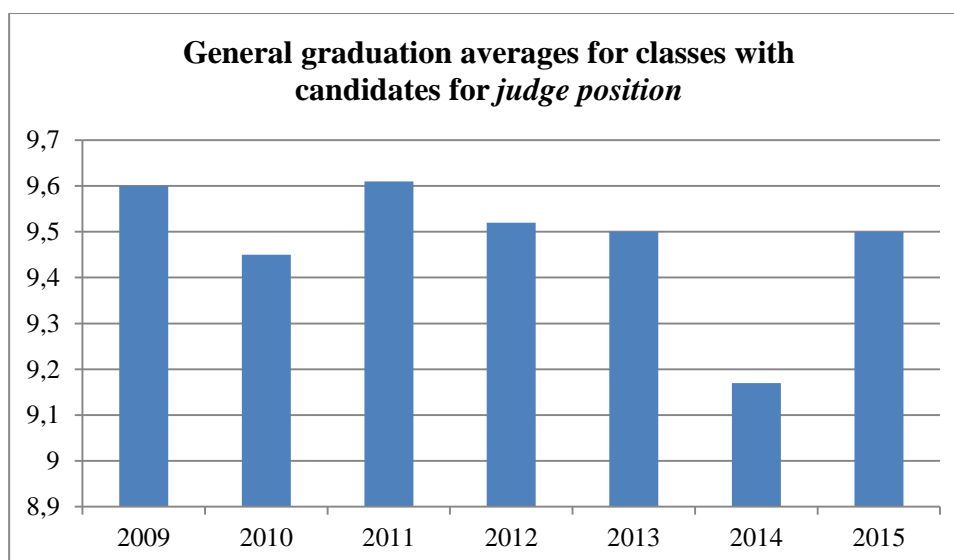
**Written test** – for civil law/civil procedural law and criminal law/criminal procedural law, which included the drafting of a decision in a civil case and of a sentence in a criminal case by the candidates for judge position, and respectively the drafting of a prosecutor's proceeds by writ and of an indictment based on specific cases by the candidates for prosecutor position.

**Oral test** – was taken for such subjects as “Organization of Court Activity” and “Judges’ Ethics and Deontology” for the candidates for judge position, and for such subjects as “Organization of Prosecution Service Activity” and “Prosecutors’ Ethics and Professional Deontology” for the candidates for prosecutor position.

The exam results were posted in the NIJ hall within the deadlines set in the Regulation on Initial Training and Graduation. No disagreements appeared during the exams’ period.

The general graduation average for the respective graduation class was 9.5 for the candidates for judge position and 9.0 for the candidates for prosecutor position. The information regarding the general graduation averages for the classes of candidates for judge and prosecutor positions, which have graduates during 2009-2015 is shown in the diagrams below.





On March 31, 2015 there was organized a festive event for awarding the NIJ graduation certificates to those 35 graduates. The event was attended by well-known persons from the management of the law-enforcement bodies, mass-media representatives, international organizations and academia.

After graduating from the NIJ, the graduates have participates in competitions for filling in vacancies of judges and prosecutors.

### **3.3.4. Appointing NIJ graduates in judge and prosecutor positions**

The appointment in judge and prosecutor positions of the NIJ graduates ends the series of activities, which serve as basis for carrying out the policies and strategies in the area of staffing the existing institutions with judges and prosecutors with high competence and integrity standards. All the 152 graduates from the graduation classes I-VII, candidates for prosecutor position were employed right after graduation, and only 71% of the 82 graduates from the graduation classes I-VII, candidates for judge position were recruited. The information regarding the statistics related to NIH graduates' employability - candidates for judge position - is shown in the diagram below.

| Statistics on NIJ graduates' employability, candidates for judge position |      |      |      |      |      |      |      |       |
|---|------|------|------|------|------|------|------|-------|
| Graduation year   | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | TOTAL |
| No. of graduates  | 10   | 9    | 9    | 10   | 14   | 15   | 15   | 82    |
| Employed in 2009  | 2    |      |      |      |      |      |      | 2     |
| Employed in 2010  | 0    | 0    |      |      |      |      |      | 0     |
| Employed in 2011  | 4    | 8    | 3    |      |      |      |      | 15    |
| Employed in 2012  | 1    | 0    | 4    | 6    |      |      |      | 11    |
| Employed in 2013  | 0    | 0    | 0    | 0    | 0    |      |      | 0     |
| Employed in 2014  | 2    | 1    | 1    | 4    | 7    | 1    |      | 15    |
| Employed in 2015  | 1    | 0    | 0    | 0    | 3    | 8    | 2    | 6     |
| Total employed  | 10   | 9    | 8    | 10   | 10   | 9    | 2    | 58    |
| Employability rate  | 100% | 100% | 89%  | 100% | 71%  | 60%  | 13%  | 71%   |
| Total unemployed  | 0    | 0    | 1    | 0    | 4    | 6    | 13   | 24    |

### 3.3.5. Extra-curricular activities

During 2015, the initial training beneficiaries had the occasion to participate in a number of extracurricular activities.

Thanks to the logistical support provided by USAID ROLISP, a team of 3 NIJ trainees attended the *International Contest of European Magistracy Schools THEMIS*, organized in Luxemburg. The NIJ team participated in the category "Civil International Cooperation in European Civil Procedure Matters" with the topic "Exequatur procedure of foreign arbitral awards in the territory of the Republic of Moldova. RISKS and REMEDIES". Our trainees got the special award from the jury for "Encouraging the understanding of European values and for setting closer relationships between the Republic of Moldova and European Union".<sup>7</sup>

Another important event organized within the premises of the NIJ was *the first edition of the Contest of Papers related European Convention of Human Rights*. The papers of the winning trainees were published in the [NIJ Magazine - No.2, 3, 4](#). The organization of the respective contest aimed to study deeply and to harness a certain problematic area at the current moment, to develop the research competences, and to apply the case-law of the ECtHR in the domestic judicial practice.

During the respective period of time, the trainees have also attended the following extracurricular activities:

- *Reforms and Role of the Civil Society*, trainer Mr. Ludger Kühnhardt, Doctor of the Institute for European Integration under the Bonn University, professor of the Institute for Political and Sociological Science;
- *Mock Trial in a criminal case* – event organized within the "JET INITIATIVE" Project under the INL (Bureau of International Narcotics and Law Enforcement Affairs), hosted by ULIM and financed by the US Embassy;
- *Combatting trafficking in human beings*, trainer Frank J. LABUDA, judged, New York, USA;
- Study visit to the official opening of the *Center for Reform in the Judicial System*;

<sup>7</sup> More information about the NIJ trainees' participation in the THEMIS international contest may be found on: <http://new.inj.md/ro/echipa-inj-s-%C3%AEntors-de-la-concursul-themis-cu-premiul-special-al-juriului>.

- Study visit to Pruncul Penitentiary related to the *System of Penitentiary Institutions in the RM. Inheritance, realities, and perspectives.*

### **3.3.6. Examination of candidates for the position of judge based on the length in service**

For the purpose of implementing the provisions of art. 6 par. (3) of the Law No. 544 dated 20.07.95 on Status of Judge, based on art. 17 of the Law on the NIJ and points 7.7 and 7.8 of the Regulation on Initial Training and Graduation dated 21.06.2007, the NIJ Board Decision No. 12/3 din 27.11.2015 approved the procedure for carrying out the exam for the candidates to judge position based on the length of service, the theme, the announcement, the standard – application, and the academic calendar.

In the period December 04, 2015 – January 22, 2016 a number of 72 applications were submitted for getting registered for the professional competence exam, and the NIJ Executive Director Order No. 3/A dated 25.01.2016 approved the list of candidates enrolled for taking the professional competence exam.

## **3.4. Continuous training**

*The process for planning, fulfilling, monitoring, and evaluating the continuous training activities was carried out in coordination with the relevant institution in the respective area. All the 242 of planned activities were carried out with success. Moreover, some additional training events were organized in agreement with the NIJ and its partners and in favor of the beneficiaries. In total, a number of 260 training activities were organized, which trained and certified 6,925 persons. It is relevant to mention that all the continuous training actions planned in the national strategic documents were implemented. Thanks to the support provided by the development partners, some trainings were organized which lasted for more than one day. The participation of foreign experts together with the NIJ trainers allowed an efficient exchange of good practices and professional experience. An added value was the involvement of some occasional trainers, representatives of some state institutions, with the purpose to streamline the inter-disciplinary training. Even though it is not measured at the current moment because of lack of some qualitative indicators, the short-term impact of the respective trainings is benefic and contributes to increasing the professional qualification of the NIJ beneficiaries, according to the evaluation of the training programs' quality.*

### **3.4.1. Planning of activities**

The continuous training activities within the NIJ were planned based on the continuous training needs' assessment according to the Methodology for assessing the NIJ beneficiaries<sup>8</sup>, actions resulting from national and European strategic documents, taking into consideration the binding training stipulated in the respective legislation. The training was also focused on observance of human rights, application of ECtHR case-law and standards, standardization of practice, development of non-judicial competences, etc.

The continuous training plans for judges and prosecutors, as well as for the court personnel, probation advisers, and other representatives of the justice sector were coordinated

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<sup>8</sup><http://www.inj.md/ro/metodologii>

with the SCM, SCJ, SCP, GPO, MJ, CPO, JAD, NCSGLA (depending on competences) and approved by the NIJ Board. These plans were used as basis for developing the calendar (semester) plans<sup>9</sup> by categories of beneficiaries and approved by the Executive Director.

The annual continuous training plans included **242 workshops** related to 100 different themes: 71 themes for judges and prosecutors; 15 – for courts' personnel; 11 – for probation advisors; 3 – for other representatives of the justice sector.

The continuous training activities were envisaged for **6.451 beneficiaries** (with multiple participation), of whom: judges – 1.839, prosecutors – 1.962, court personnel – 1.865, probation advisors – 510, other representatives from justice sector – 275.

### 3.4.2. Carrying out continuous training activities

During the period of reference, a number of **260 training activities** were organized: seminars, workshops, training courses, conferences, etc. In total, **6.925 persons were certified**, of whom: *2.474 judges, 1.319 prosecutor, 1.875 court personnel (court clerks, judicial assistants, heads of court secretariats), 389 probation advisors, as well as 868 other representatives of justice sector*. It should be mentioned that the difference between the number of participants and the number of effective participation is due to the fact that some beneficiaries have participated a number of time in the continuous training actions.

| Category of participants  | Total participants<br><i>planned</i> | Total participants<br><i>fulfilled</i> | Deviations +/-        |
|---------------------------|--------------------------------------|--|-----------------------|
|                           |                                      |  | +planned / -fulfilled |
| <b>Judges</b>             | 1.839                                | 2.474                                  | +635                  |
| <b>Prosecutors</b>        | 1.962                                | 1.319                                  | -650                  |
| <b>Court personnel</b>    | 1.865                                | 1.875                                  | +10                   |
| <b>Probation advisors</b> | 510                                  | 389                                    | -121                  |

The table reveals certain deviations between the number of planned persons and the number of persons who de-facto have attended and were certified. This fact, in relation to judges, is due to the additional activities which were carried out in partnership, as well as because of the extra-planned presence and the wish to accumulate continuous training hours. Another situation is pointed for prosecutors – the presence at the seminars was under the planned number, due to, first of all, legislative incompliance, as they are entitled to continuous training (40 hours) also in other institutions, etc., as well as due to reasons which were not yet identified.

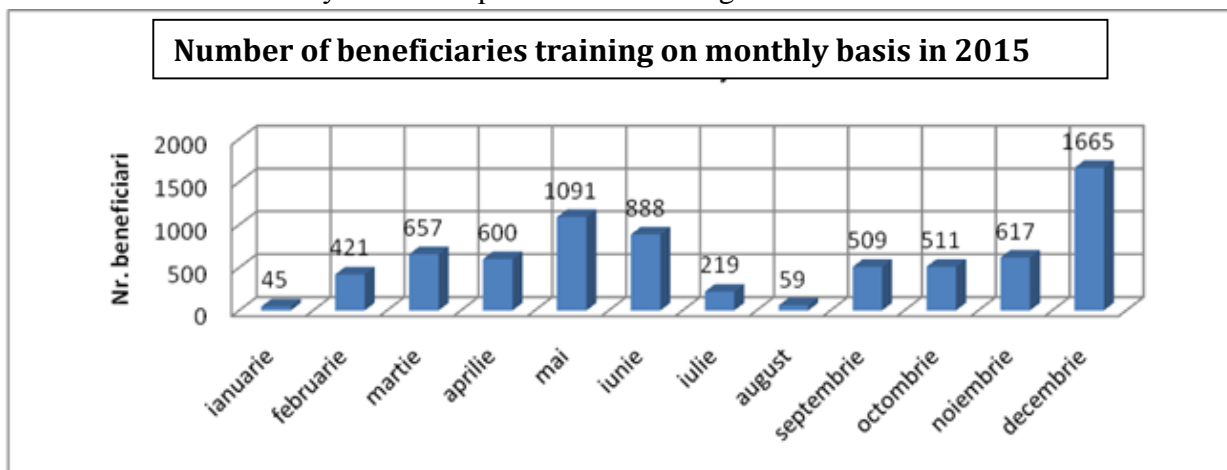
At the same time, besides the direct beneficiaries of the NIJ, based on the strategic documents or for the purpose of making the seminars more efficient, and upon the proposals coming from partners, the continuous training activities also trained about **868 persons from other categories**: lawyers, bailiffs, mediators, authorized administrators, criminal investigation officers, psychologists, arbiters, para-lawyers, NIJ trainees, representatives of PAO, NIC, NAC, etc.

On average, **30 activities** were organized on monthly basis. Most of activities were organized in May, followed by June. Fewer seminars were organized in January and July-August, which is the period of beneficiaries' annual leaves.

The activities organized by the NIJ were attended in average by **700 persons on monthly basis**. A big number of persons were trained in May and December, and the least number of

<sup>9</sup> Annual plans and calendar plans may be accessed on: <http://old.inj.md/node/18>

persons were trained in January and August. The distribution of the continuous training activities' beneficiaries by months is provided in the diagram below:



Analyzing retrospectively/comparatively a random number of years - 2007, 2011, 2015, it may be concluded that in 2007 - 1.327 persons were trained, in 2011 – 3.792, and 2015 – 6.925 persons. The increase of this number was not a goal per se, it is a natural increase directly proportional to the identified needs, including from the priority areas/policy documents, institutional capacity, and the high interest of the NIJ beneficiaries, especially judges, due to the binding nature of the annual training (accumulation of hours) and professional evaluation. According to art.19 par. (2) of the Law on the National Institute of Justice, *judges and prosecutors are entitled to continuous training, by selecting the topics from the program, and should accumulate at least 40 hours per year.*

For the purpose of monitoring the continuous training hours for judges and prosecutors within the NIJ, the continuous training activities were registered and the accumulated hours were managed. The database regarding the continuous training activities was filled in with all the information held by the NIJ for 2015, being an essential source of institutional memory.

According to the information available in the respective database, it may be noted that during the reporting period, the 149 continuous training activities for judges and prosecutors were attended by all the 432 out of the 432 acting judges. **320 judges have accumulated a sufficient number of hours, provided in the law, and 103 judges did not accumulate the target of 40 hours.** A number of 539 prosecutors out of 712 acting prosecutors attended the trainings. **117 prosecutors have accumulated the necessary number of hours provided in the law, and 422 did not reach the target of 40 hours.**

The problem related to prosecutors' attendance (and partially judges' attendance) still remains unsettled. There is no control mechanism from the relevant institutions, on one hand, but also the legislative framework for the prosecutors is not in line with the Law on the NIJ in relation to the binding nature of continuous professional training, and accumulation of the 40 hours exclusively within the NIJ.

If referring to the **training areas** and, respectively, to the number of seminars tackling the respective areas, it should be mentioned that most of the seminars were provided in the area of juvenile justice (35), communication (34), corruption (24), non-discrimination (19), ECtHR case-law (13), professional ethics (12), domestic violence (10), trafficking in human beings (10), asylum, statelessness, and migration (7), torture (5) and other. Many other areas were reflected in a small number of seminars and we consider that it was a worthless effort as related

to the human resources and costs involved, as they did not contribute to standardization of practice and only a small number of beneficiaries were covered, in certain areas.

The relevance related to the training component implies the training of the magistrates and the entire personnel of the SCJ in the area of intellectual property. Upon the SCJ initiative and in partnership with the AJM a continuous training course was organized for duration of 40 hours, carried out during several months, specialized in the area of intellectual property for all the judges and personnel of the SCJ.

### **3.4.3. Regional training activities**

2015 was remarkable as well in relation to the regional training segment. As a result of the constructive collaboration with NIJ partners, especially NORLAM, ABA ROLI, CoE, IRZ, NCSGLA and other, a number of **57 regional seminars** was organized, of which 23 referred to different areas: electoral, individualization and application of criminal punishments, non-discrimination, migration, statelessness, domestic violence, ECHR standards, etc. The trainings were carried out in Bălți, Cahul, Comrat, Căușeni, Vadul lui Vodă, being meant for judges, prosecutors, lawyers, probation advisors, etc.

It should be mentioned that 6 seminars were organized in collaboration with NCSGLA exclusively for lawyers who provide state guaranteed assistance, and 34 – organized in partnership with USAID ROLISP, in the area of communication, meant for the courts' personnel. In total, the regional trainings were attended by **1.365 beneficiaries**, including: 267 judges, 87 prosecutors, 177 lawyers, 780 – court personnel, as well as other categories of beneficiaries (probation advisors, criminal investigation officers and other).

### **3.4.4. Partnerships in the area of continuous training**

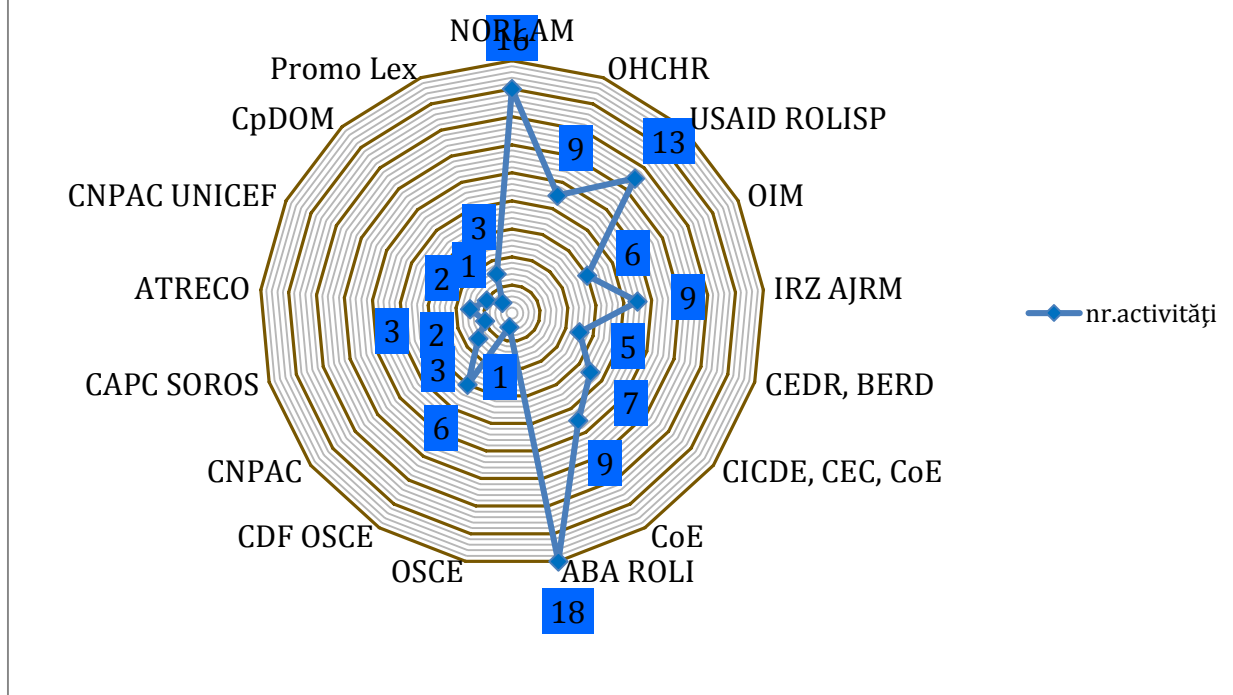
The NIJ partners had a separate role in organizing the continuous training activities<sup>10</sup> and namely: USAID ROLISP, NORLAM, SOROS, CCAP, CDF, CoE, UNHCR, ICMPD, OSCE, EBRD, La Strada, OHCHR, ABA ROLI, IOM, US Embassy in RM, IRZ, ATRECO, AJM, CEC, CETC, AGEPI, Promo-LEX, CNPAC and others, who have contributed to building our institutional capacities and the good implementation of the envisaged activities. The information regarding the number of activities carried out by the NIJ in partnership with donors is presented in the below diagram:

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<sup>10</sup><http://www.inj.md/ro/parteneriat>



### Number of activities performed by NIJ in partnership with donors



This diagram shows the number of seminars, as well as the number of participants trained with partners' support. Most of the seminars (from minim 5) were organized in partnership with ABA ROLI – 18 activities with training of 400 persons, NORLAM – 16 activities with training of 396 persons, USAID ROLISP – 13 activities with training of 283 persons, OHCHR – 9 activities with training of 198 persons, IRZ and AJM – 9 activities with training of 313 persons, CESD and EBRD – 5 activities with training of 121 persons.

As a result of vector change and institutional policy change, the partners have adjusted their support to the NIJ and its beneficiaries' requirements/needs, and this added value, including to continuous training activities. Thanks to the provided support, the NIJ succeeded to organize zone seminars, seminars longer than one day, involving international experts, etc., as well assessments were carried out for the organized seminars, curricula were developed /expertized in certain areas.

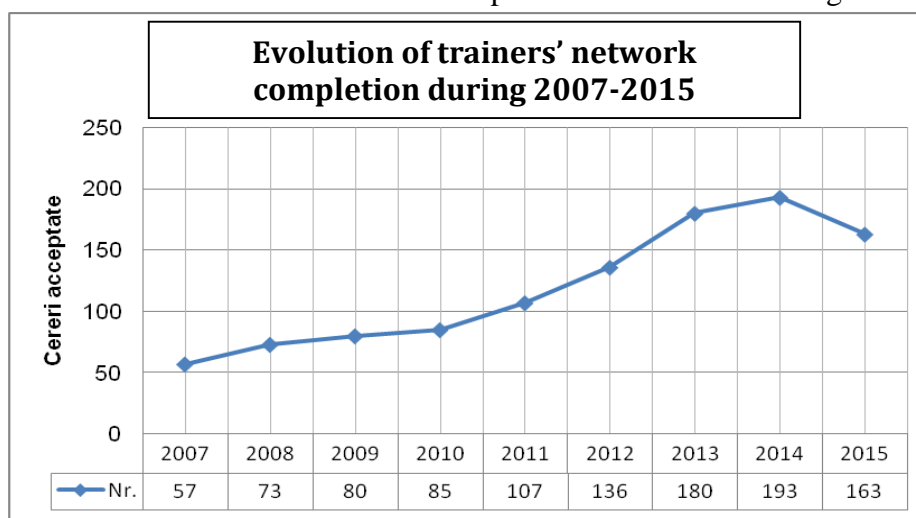
### 3.5. Recruitment and training of trainers

*The activity of training of trainers in 2015 aimed to develop the professional skills of the teaching staff. During the period of reference, the focus was on organization and good development of the planned training activities, as well as when identification of training of trainers' needs. As for enhancing the trainers' network, the focus was on complex professional evaluation of all the trainers, for them to be in line with the NIJ Trainer's Status, approved by the NIJ Board in 2014.*

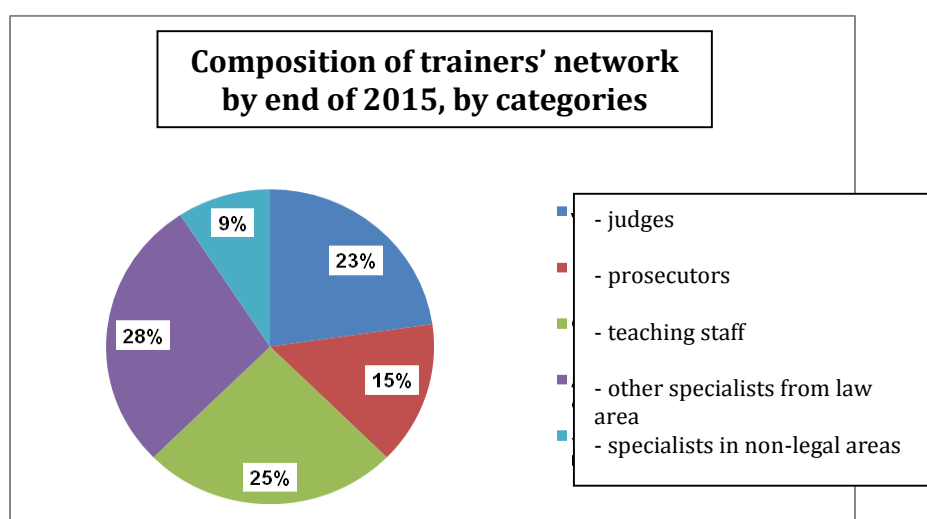
### 3.5.1. Recruitment of trainers

The teaching staff of the NIJ is ensured through the trainers' network which is completed based on a competition organized by the NIJ Board, from among acting judges and prosecutors, as well as from the teaching staff of the higher education institutions, other specialist from the law area, and specialists with professional competences from other areas.

At the beginning of the year, the NIJ network had 179 trainers. Over the year competitions were announced to fill in 11 training areas<sup>11</sup>, but no applications were registered for the respective areas. Hence, in 2015 one single trainer was included in the network for 3 areas<sup>12</sup>. At the same time, a number of 17 trainers<sup>13</sup>, the network reaching 163 trainers by the end of the year. The information regarding the annual trend and, respectively, the evolution of completing the trainers' network in 2007-2015 is presented in the below diagram.



By the end of the reported period, the trainers' network had the following composition: teaching staff from higher education institutions – 25%; judges – 23%; prosecutors – 15%; 28% are represented by lawyers, bailiffs, probation advisors, mediators, and other specialists from the law area, and 9% are specialists with professional competences in non-legal areas. The information regarding the ratio between the trainers' categories is presented below.



<sup>11</sup>NIJ Board Decision No.13/2 dated 17.12.2015 posted on <http://inj.md/ro/hot%C4%83r%C3%A9>.

<sup>12</sup>NIJ Board Decision No.13/1 dated 17.12.2015 posted on <http://inj.md/ro/hot%C4%83r%C3%A9>.

<sup>13</sup> In line with the NIJ Decision No. 4/8 dated 31.03.2015, No.13/3 dated 17.12.2015 and No.13/1 dated 17.12.2015, posted on <http://inj.md/ro/hot%C4%83r%C3%A9>.



Thus, 38% trainers come from judges and prosecutors, 37% are lawyers, bailiffs, probation advisors, mediators, other specialists from legal and non-legal areas, and only 25% of trainers are theoreticians.

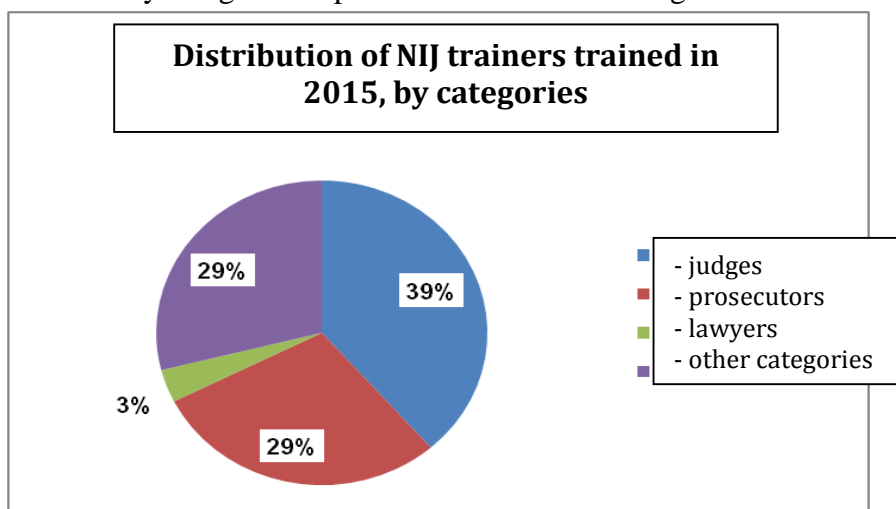
A complex professional evaluation of the trainers from the network started this year. In line with the new evaluation procedure provided in the *Trainer's Status*, a Standing Competition Commission was established, which has examined the performance of 75 trainers from the network. As a result of the complex evaluation, 22 trainers were exempted from interviews, 51 trainers obtained positive averages, and 2 trainers were excluded from the network. By the end of the year, the results of the complex professional evaluation were submitted to the NIJ Board. At the same time, the evaluation of the trainers who did not participate in the complex professional evaluation procedure in 2015 was planned for 2016.

As well, the trainers from the NIJ network were subject to the annual periodical evaluation, in line with the Methodology for assessing the quality of training programs within the NIJ<sup>14</sup>. Timetables were developed and all the trainers were assessed according to the methodology provisions.

### 3.5.2. Training of trainers

The training of trainers' activity was carried out in line with the Trainers' Training Plan for 2015<sup>15</sup> using seminars, training courses, and workshops abroad. The performed activities focused mainly on building non-legal skills, such as teaching methods, time management, management, and leadership. A number of activities were focused on building trainers' competences to develop and manage distance learning courses. At the same time, topics on international standards in human rights area were identified and included.

In total, a number of 17 training of trainers' activities were carried out during the year. The cumulative duration of the respective activities lasted for 51 days, which is 1.3 times more activities or 1.5 times more training days than in 2014. A number of 114 trainers were trained: 44 judges, 33 prosecutors, 4 lawyers, and 33 specialists from other areas. The distribution of trainers trained in 2015 by categories is presented in the below diagram.



<sup>14</sup> Methodology developed in partnership with USAID ROLISP and approved via NIJ Board Decision No. 5/6 dated 24.04.2014, with modifications from 25.09.2015. The methodology may be accessed on: <http://inj.md/ro/metodologii>.

<sup>15</sup> Approved via NIJ Board Decision No.13/2 dated 21.11.2014, as a result of consultation and coordination of the draft plan with the Superior Council of Magistracy, General Prosecutor's Office and Ministry of Justice. Available online on: [http://old.inj.md/files/u1/2014\\_aprobare\\_Plan\\_de\\_formare\\_formatori\\_2015\\_0.pdf](http://old.inj.md/files/u1/2014_aprobare_Plan_de_formare_formatori_2015_0.pdf)

In total, during the period of reference, a number of **243 certificates** was issued; some persons participated in more training activities.

### **3.5.3. Grouping activities by areas**

The trainers' training activities organized and carried out in 2015 may be grouped in the following training areas:

- *In the area of human rights* – the training was continued for the resource-group composed of 23 trainers: 7 judges, 8 prosecutors, and 8 lawyers. They have benefited from three specialized and thorough trainings in the area of human rights on how to apply the ECHR and ECtHR case-law at the national level, which lasted for 9 days and 42 certificates were issued in this area. The aim of these trainings was for the group representatives to continue carrying out activities in the area of human rights' promotion in Moldova, to become resource-persons, and to continue promoting the respective values in their area of activity.
- *In the time management area* – three seminars were organized, each of them lasted for 2 days, and 60 trainers got certificates.
- *In the area of preventing and combating hate crimes* - two seminars were organized, each of them lasted for 2 days, and 41 trainers were certified.
- *In the area of gender equality* - one seminar lasting for 3 days was organized, and 5 trainers were certified.
- *In the area of domestic violence* – two training sessions were organized, each of them lasting for 2 days, and represent a part from the II module of the seminar initiated in 2014, and 13 trainers were certified.
- *In the area of motivational interview* – one training was organized, lasting for 10 days, and 6 trainers were certified.
- *In the area of arbitration* – one training was organized, lasting for 2 days, and 11 trainers were certified.
- *In the area of distance learning* – one training was organized, lasting for 3 days, and 11 trainers were certified.
- *In the area of management and leadership* – one training course was organized, divided into three modules, and 16 trainers were certified.
- *In the area of teaching methodology* – three seminars were organized, and 38 trainers were certified.

Hence, benefiting from the assistance provided by its partners during 2015, the NIJ organized and carried out 17 seminars in the area of training of trainers.

### **3.5.4. Partnerships in the area of training of trainers**

The training of trainers' activities were organized using resources from the NIJ budget, as well as with the support provided by the following NIJ partners (to which NIJ is grateful for provided contribution):

- USAID Rule of Law Institutional Strengthening Program (USAID ROLISP);
- United Nations Development Programme in Moldova (UNDP);
- Norwegian Mission Experts of Rule of Law Advisers to Moldova (NORLAM);
- Council of Europe Office (CoE);
- Center for Women's Rights (CWR);
- American Bar Association "Rule of Law Initiative", Moldova Office (ABA/ROLI);

- International Organization for Migration (IOM);
- EU Project “Increased Efficiency, Accountability and Transparency of Courts in Moldova” (ATRECO);
- Center for Efficient Settlement of Disputes (CESD).

### **3.5.5. Participations in international events**

During the period of reference, the NIJ trainers attended the following international events:

- *The third training of trainers seminar under the HELP Program*, organized on September 9-12 by the General Human Rights and Rule of Law Division of the Council of Europe within the HELP Program. The aim of the seminar meant for professionals from the legal area was to ensure high quality for training in the area of ECHR and ECtHR case-law. This seminar was attended by representatives from profile institutions from 14 countries.
- *The regional workshop dedicated to access to justice in environmental matters*, organized on February 19-20, in Tbilisi, Georgia, meant for countries from Southern Caucasus and Eastern Europe. The aim of the workshop was to convene judges and representatives of National Judicial Training Centers to share their experiences, identify challenges, and look for possible ways to increase the implementation of “access to justice”- pillar of the Convention on access to information, participation of the public in decision-making and access to justice in environment matters in the countries of Southern Caucasus and Eastern Europe.
- *Study visit on “Management of Cyber Security in Estonia”*, organized on June 14-18, Tallinn. During the respective visit the participants found out from first sources useful information regarding the structure and the management model of electronic services, security of such services, and challenges of the cyber sector, sharing as well the state’s experience in the respective area of reference.

## **3.6. e-Transformation and e-Learning**

*The development of NIJ’s new information system (site and intranet) served as basis for upgrading the management of NIJ activity and creating new options for its beneficiaries. The launch of the electronic questioning for assessing the quality of initial training, continuous training, and training of trainers’ activities proved the viability of the respective solution and its capacity to facilitate the rational use of resources. The hosting of NIJ’s information resources on the common governmental technological platform MCloud represents another action for upgrading the way in which the information resources are managed.*

*The distance learning got affirmed as a new training modality through provision of a number of distance learning courses, for which 271 persons applied and attended, and 178 certificates were issued. The beneficiaries have positively assessed the quality of courses, some of them taking a number of distance learning courses within NIJ, hence denoting the interest for e-learning.*

*The technical-informational maintenance of software and hardware elements, internal network, local server, email boxes of NIJ employees ensured the functionality of the IT technology in the NIJ. Partners’ significant contribution allowed upgrading and optimizing the*

*NIJ activity. A modern video-conference system (POLICOM) was installed with LEAVITT support in the library hall. USAID ROLISP provided a LED monitor, which subsequently was installed in the NIJ hall and 100 tablets for electronic questioning. The UNDP Project equipped a new PC hall with modern workstations.*

### **3.6.1. e-Transformation**

The NIJ activity was optimized by developing and implementing new technical solutions meant to facilitate and streamline the work flow, to reduce the necessary resources for managing the initial training, continuous training, and training of trainers.

With the support provided by USAID ROLISP, the development of the new NIJ information system was launched in 2014<sup>16</sup>. In 2015 the plan for developing this system was implemented – development, testing, users’ training, partial update of the database, validation of deliverables by work stages, etc. Beneficiary institutions were also involved in these activities (SCM, GPO, and other). The system is composed of an intranet and [public site](#).

In this context, NIJ signed an Agreement for service provision from the [Common Governmental Technological Platform - MCloud](#). Hence, the NIJ’s information resources management was optimized. And to ensure data security, the certificate [SSL \(Unizetto wildcard\)](#) was procured and installed

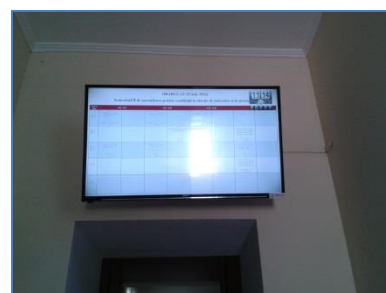
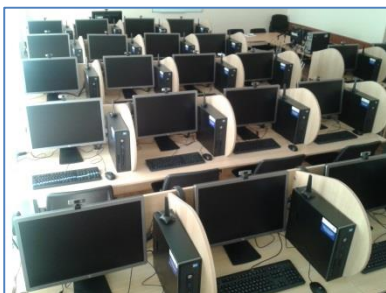
For the purpose of upgrading the quality assessment of training activities, the electronic questioning procedure was launched. The efficient use of software and hardware components was carried out in the NIJ by ensuring functionality, assessing the equipment, submitting procurement proposals with certain technical specifications, etc. For software part – an antivirus soft, Moldlex and other softs were procured and installed etc. The local server and internal network operation was ensured. The internet services were provided by the STC.

LEAVITT procured and installed a modern video-conference system (POLICOM) in the NIJ library hall.

With support provided by USAID ROLISP, 100 tablets were procured and are used for electronic questioning of beneficiaries of initial, continuous and trainers’ trainings. The relevant section has generated a configuration solution allowing using the tablets according to the specified aims.

USAID ROLISP has also provided a LED monitor, which was installed in the NIJ hall. The monitor is used to display the timetable for initial training, continuous training, and training of trainers’ activities, as well a distance learning spot. When major events are organized, the information about them is also displayed on the respective monitor.

The UNDP Project provided support to equip a PC room with modern workstations, and this will essentially optimize the development of training activities in the NIJ.



<sup>16</sup> Action provided under point 1.3.2. p.3 of the [Action Plan for Implementing the JSRS for 2011–2016](#), approved via the Parliament Decision No. 6 dated 16.02.2012.

### 3.6.2. Distance learning

The [distance learning plan for 2015](#), approved via the [NIJ Board Decision No. 4/7 dated 31.03.2015](#) provides for developing/providing five distance learning courses, but thanks to the collaboration with the partners, it was possible to involve the NIJ beneficiaries in two additional distance learning courses, which were not included in the plan. A total number of 271 persons applied and participated in the e-learning courses, of whom 178 were certified.

The course “*Psychological specificities and peculiarities in hearing victims of trafficking in human beings*” was provided three times, followed by 49 persons, and 24 were certified.

The course “*Preventing corruption in justice sector*” was provided three times, followed by 80 persons, of whom 43 were certified.

The course “*Protection of personal data in the courts*” was provided three times, followed by 63 persons, of whom 38 were certified.

The course “*Active-participative training methodology*” was developed and tested in English language with USAID ROLISP support. The training program was tested by 9 persons, of whom 5 were certified. It is suggested for this course to be provided with mentorship, after being translated into Romanian language.

The course “*Protection of Migrants’ rights in the RM. Legal Provisions*” was developed with ICMPD support. The course was tested by 9 persons, of whom 7 were certified. This course will be posted in two versions with analogical content – English and Romanian. The English version will be available as well to professionals from other states, English speakers, and this is a very useful thing, taking into account the current situation in the region.

An important experience was the collaboration with the NSCC from Romania, together with which, the NIJ provided directly on the school platform the course “*Romanian language. Grammar elements. Difficulties, hesitations, confusions*”. This course was provided twice, being followed by 53 persons and all of them got certified.

The course “*Introduction in European Convention of Human Rights and European Court of Human Rights*” provided by HELP was tested and promoted by 8 persons. With the support of the test group, the NIJ developed and submitted to the HELP team a list of recommendations for optimizing the course so as to take it over the NIJ ILIAS platform.

NIJ ensures distance learning promotion and provide technical assistance to the beneficiaries of the respective courses. Every training course is assessed through an electronic questionnaire filled in by the beneficiaries. The generalized information serves as basis for further developing and optimizing the courses.

To enhance the e-learning solution, USAID ROLISP provided NIJ two licenses for iSpring soft, meant to develop distance learning courses.

The NIJ experience in relation to establishment of distance learning courses caught the interest of SOROS, ABA ROLI, NORLAM, NAC, APA. The last one has taken over the NIJ experience in relation to organization of distance learning within the Academy of Public Administration.

The distance learning activity carried out within the NIJ was assessed by an expert contracted by UNDP, Mrs. Delia Oprea, who has submitted a report with recommendation for enhancing this component.

### 3.7. Foreign relations and partnerships

*Since its establishment as a guarantee of professional standards in justice sector, the NIJ succeeded to enhance the collaboration relations with donors and its national and international partners so as to create a favorable image externally and at the same time to become the most prestigious national institution for professional training of future judges and prosecutors. The activity of the NIJ donors and partners is facilitated and coordinated with the assistance of the DCC which meets twice a year within the NIJ premises.*

#### 3.7.1. NIJ Donors' Coordination Committee

The DCC was established in 2012 as consultancy body for coordination of NIJ activities supported by donors. The Committee is composed of representatives of the NIJ, NIJ Board, active partners, civil society, and other institution active in the judicial sector.

The Committee meets twice a year in ordinary meetings. During 2015 two meetings were organized. During the meeting from **June 18** the participants have coordinated the priority activities for 2016 meant for initial and continuous trainings of NIJ beneficiaries, and solutions were suggested for modernizing the training process. And the meeting on **December 21** was focused on the registered successes, generalization of the received support and activity priorities in the area of training of trainers and distance learning – perceived as basis for an efficient e-learning solution.

During the period of reference, the donor institutions have supported the carrying out of **projects** for modernizing the NIJ and improving the training process (UNDP), development and consolidation of institutional capacities (LEAVITT, USAID ROLISP), as well as organization of training activities (different NIJ donors and partners).

#### 3.7.2. National and international partnerships and collaborations

The objectives set for the year of reference were meant to foster the collaboration relations with the development partners and to create new partnerships. During the respective year, the NIJ worked together with the National Academy of Prosecutors from Ukraine to develop the draft Collaboration Agreement so as to ensure pluralist training of prosecutors<sup>17</sup>. On March 04, 2015, the representatives of the NIJ and NSCC signed the Collaboration Protocol between the institutions setting a general cooperation framework to increase training quality standards, to improve the court clerks' theoretical and practical training, to organize some joint activities, and to access projects with European financing.

The NIJ activity is based, largely, on the cooperation with the institutions from the system: MJ, GPO, SCP, SCJ, SCM, AJM, PAO, SOROS. Together with these partners, five big events were organized within the NIJ, attended by state officials, representatives of the justice system, experts and representatives of the civil society. These events represented a significant step forward in achieving the objective to have the aspired-for European justice, to join the efforts for modernizing and reforming justice sector, and to contribute beneficially to promoting the NIJ image on the national and international levels.

As a profile institution, the NIJ is responsible for building skills, competences, and attitudes in the justice area. The direct cooperation with the international partners is one of the

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<sup>17</sup> Via Decision No. 6/4 dated 3 July, 2015 the NIJ Board has authorized the draft agreement, and it is envisaged to sign it in 2016.

priorities set in the NIJ agenda, as the international experience contributes unconditionally to the professional development of trainees. During the period of reference, the NIJ hosted a number of activities carried out within the framework of 13 European and international projects. These activities tackled topics related to the reform of the Prosecution Service, human rights, asylum, migration, quality of judicial acts, case management, civil society role and have represented an excellent occasion to provide an exchange of ideas and good practices between different legal systems, to enlarge the cooperation spectrum, and to update the knowledge of judges and other specialists in the area.

As well, the NIJ representatives have participated in a number of useful and up-to-date events, which have contributed to building specific competences for their professions, to create some visions, to take over the best practices, and to benefit from personal development. The international experience and the exchange of information on quality, efficiency, and accessibility of the justice act was a real added-value for every participant<sup>18</sup>. An important aspect of the NIJ international cooperation development also refers to enhancing and maintaining the interactive relations with the EJTN and IOJT<sup>19</sup>.

### **3.7.3. Meetings and visits**

During the respective year, the NIJ management and representatives held a number of meetings with state officials, experts, and representatives of different rank. These included courtesy visits when a new director was appointed<sup>20</sup>, work visits<sup>21</sup>, study visits, and fact-finding visits. During the visits paid to the NIJ, the official and representatives of national and international institutions discussed about aspects of common interest, such as: consolidation of partnerships, joining of efforts to carry out the planned activities, and other. The NIJ representatives remain to be firmly convinced that such meetings boost the activity of the institution and contribute to setting up an agreed vision, including the possibility to extend the collaboration.

In its activity, the NIJ advocates, first of all, for ensuring European and qualitative training and for professional development of the trainers involved in the training process, and for implementing new interactive training methods. In this context, the NIJ representatives were involved in study visits to Holland, Macedonia, Serbia, Romania, France, USA, Turkey and Austria<sup>22</sup>.

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<sup>18</sup> During the period of reference, NIJ has consolidated very actively its role in cooperation with the Council of Europe. The representatives of the Institute have participated in over 7 conferences and workshops organized by this organization.

<sup>19</sup> Thanks to the financial support provided by UNDP Moldova, the NIJ delegation has participated in the works of the VII IOJT Conference on “Excellence in judicial training”.

<sup>20</sup> Visit of Mr. Jesper Toftlund, representative of Denmark Government dated 23 January, visit of NORLAM Mission members from March 02.

<sup>21</sup> Visit of Mrs. V. Olaru (MIGRECO) from January 25, visit of representatives from CDF, La STRADA, OSCE o January 27, visit of Mr. Jos Uitdehaag, expert of CoE dated February 17, visit of representatives of ABA ROLI from March 03, visit of Mr. D. Leavitt, Director of Leavitt Institute, dated 17 June.

<sup>22</sup> Study visits related friendly justice to children – victims of crimes (CNPAC); cyber security; training of professional groups; combatting hate crimes; exchange of experts; exchange of opinions, information and good practices; development of Guideline on individualization of punishments for certain categories of offences.



### 3.8. Public relations

*The activity in the area of public relations and editing registered improvements as compared to the previous year. A proof in this respect would be the increased number of carried out activities, as well as the frequency of positive appreciations from the beneficiaries regarding: the training of trainees in the area of non-legal skills; filling in and improving the web page of the institution; promoting the NIJ image through mass-media; editing and distributing the NIJ quarterly magazine; printing out certificates for participants attending continuous trainings seminars and training of trainers' workshops, editing of teaching materials and other materials necessary for the NIJ activity.*

*During the year of reference a creative attitude was pointed out towards preparing and editing the NIJ magazine. It is envisaged that in the near future the Magazine will reach the accreditation level in category B of scientific publications. A proof of improved quality of the NIJ site is the fact that the Facebook page of the institution has an increased impact: the best news was read by 4227 persons. With the aim to promote the NIJ image, the coverage in mass-media has also increased<sup>23</sup>. As for publications, besides the tradition ones, the following should be mentioned "Manual of Authorized Administrator", banners, agendas and other, printed out with the aim to promote the NIJ image, as well as the new modernized logo of the institution. A success achieved in 2015 was the adoption of the NIJ Communication Strategy.*



#### 3.8.1. Promotion of the NIJ image

One of the priority activities is the correct and rapid information of public opinion about the events carried out within or with the participation of the NIJ, so as to promote a positive image of the institution and its transparency. This is done, first of all, through the **NIJ site**. With the assistance of the USAID ROLISP, the modernization of the site design started, implying a more interactive interface with the beneficiaries and more operational possibilities, and the new version of the site will be launched in 2016.

It should be noted that in 2015 a number of 144 news were published in the NIJ web site, with a monthly average of 12 news. January is the month of reference, and it was noted that there was an increase in the number of publications by 155% in March, for instance. The news posted on the site have different themes: initial training, continuous training, training of trainers, meetings of the NIJ Board, visits abroad, conferences, round tables, and public lessons with the participation of the NIJ, meetings of the NIJ management with the development partners, representatives of the institutions from the system and civil society, etc. The quality of the news placed on the web site is also proved by the number of news views through the social-media page on Facebook, which also was launched in 2015. The impact of the news with the

<sup>23</sup><http://trm.md/ro/justitie-echitabila-pentru-fiecare/justitie-echitabila-pentru-fiecare-din-19-martie-2015/>;  
<http://trm.md/ro/justitie-echitabila-pentru-fiecare/justitie-echitabila-pentru-fiecare-din-9-iulie-2015/>;  
<http://www.zdg.md/editia-print/exclusiv/as-pleda-mai-mult-pentru-o-formare-europeana-a-procurorilor-in-r-moldova>



highest number of views – 4.227 persons. The launch of the NIJ site on Facebook was a good idea and the following examples prove it: the post about the workshop regarding the design of distance learning courses, organized in partnership with USAID ROLISP during 12-14.01.2015 was viewed by 2.698 persons; the start of admissions exams which were organized on 02.09.2015 – 4.227 persons; launch on 18.09.2015 of the online pilot course “Introduction in European Convention of Human Rights and European Court of Human Rights” meant for judges and prosecutors from RM, organized by the European Program for Training Lawyers in the area of human rights (HELP Program) in cooperation with the NIJ – 3.206 persons.

In 2015 the **relations with mass-media** were better enhanced. On March 31, the newspaper “Ziarul de Gardă” published an interview with the Executive Director of the NIJ, with the title “I would advocate more for a European training of the prosecutors from the RM”<sup>24</sup>. Constructive collaboration was carried out with the National Radio, especially – with the producers of the radio shows “Fair justice for everyone”. The show from March 19 “Professional training of specialists from courts: concept and fulfilment”<sup>25</sup> was attended by the NIJ Executive Director. The producer of the respective show was Tatiana Fișer. During the radio show from July 09 on “Initial training of the future candidates for judge and prosecutor positions”<sup>26</sup>, was attended by other two specialists from the NIJ – Head of Initial Training Section and Head of Didactical-Methodological and Research Section. On December 15, the newspaper “Ziarul de Gardă” has organized in the USM a public discussion on “Justice Reform targeted by the Press”, which was attended by experts in law area, university professors and student from the Law Faculty. The NIJ Executive Director presented the topic on “Training of new judges open to mass-media”.

As for the NIJ image promotion, it should be mentioned that NIJ **modified its logo** – a modernization suggested by the changes launched for improving the process of initial and continuous training. On August 19 based on the provisions of point 1.3. from the NIJ Charter dated 06.06.2007, in line with which NIJ has its own symbols approved by the NIJ Board, art. 2 par. (5) of the Law on the NIJ, the Board approved the modified logo of the NIJ. The fact imposed the collaboration with companies specialized in *rebranding*, using the new NIJ logo with the aim to promote the image of the institution, and different gadgets were produced: agendas, pens, sticks, supporters for business cards, thermos bottles, purses, T-shirts, banners with the new logo of the NIJ.

During 2015 a Communication Strategy was finally developed for the NIJ. Thus, during September- November NIJ collaborated with the specialist in communication area, Dorina Andreev, selected by USAID ROLISP and now NIJ has a Communication Strategy for 2016-2018, and its implementation will promote more actively and more widely the NIJ image.

### **3.8.2. The NIJ magazine publication**

The reported year implied a qualitative step forward in editing and printing the NIJ magazine – a practical-scientific, informative and legal publication, reflecting the most important activities and events in the NIJ life, the biggest part of the magazine being dedicated

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<sup>24</sup> The interview may be accessed on: <http://www.zdg.md/editia-print/exclusiv/as-pleda-mai-mult-pentru-o-formare-europeana-a-procurorilor-in-r-moldova>.

<sup>25</sup> The show may be viewed on: <http://trm.md/ro/justitie-echitabila-pentru-fiecare/justitie-echitabila-pentru-fiecare-din-19-martie-2015/>

<sup>26</sup> The show may be viewed on: <http://trm.md/ro/justitie-echitabila-pentru-fiecare/justitie-echitabila-pentru-fiecare-din-9-iulie-2015/>

to scientific materials in justice area. At the beginning of the year, the National Council for Accreditation and Attestation has prolonged the status of scientific publication of category C for the NIJ Magazine. The NIJ used a creative approach for preparing and publishing the NIJ Magazine, aiming to achieve in the nearest future the accreditation level in category B of scientific publications.

The magazine was published on time and traditionally – four editions, with a total number of 1200 copies. During the year, 6 scientific articles appeared on the pages of the magazine, being signed by authors from abroad – three in English, two in Russian and one in Romanian language. The copies of the magazine were distributed free of charge to the institutions within the national justice system, as well as from abroad, within the libraries of the following institutions: National Institute of Magistracy from Romania (Bucharest), National Institute of Justice from Bulgaria (Sofia), national Academy of Prosecutors from Ukraine (Kiev), Law Faculty of the University “Alexandru Ioan Cuza” from Iasi, Law Faculty of the University “Lucian Blaga” from Sibiu, Law Faculty from the West University in Timisoara, National School of Judges from Ukraine (Kiev), Regional Section Cernăuți of the National School of Judges from Ukraine. It is regrettable that because of lack of finance, it was impossible to distribute abroad the fourth edition of the NIJ Magazine in 2015.

### **3.8.3. Other publications**

During 2015 a number of polygraphic editions were created based on the NIJ needs and financial possibilities. First of all, the certificates for the trainees of initial training, continuous training, training of trainers, and distance learning – 7.000 copies. It should be mentioned that before the end of the procurement contract, in January – March 2015 a design was developed and other 1.183 certificates were printed on the NIJ color printer. A number of 60 ID cards were prepared and printed for the initial training trainees. Besides 300 cards were prepared and printed to be distributed with the occasion of official holidays during the year, 100 envelopes C4 and 800 envelopes C5, necessary for the NIJ secretariat activity.

In December NIJ published “Authorized Administrator’s Manual”, which was prepared by a group of authors and coordinated by the NIJ Deputy Executive Director. The manual appeared with the financial support from the NIJ budget related to the JSRS component.

## **3.9. Building NIJ capacities**

*The need to reform the justice sector has determined the imminent reform of the training processes within the NIJ. To reform and perform the justice act, it is necessary to have human resources trained according to the European standards. Thus, the fulfilment of objectives set in the Action Plan for implementing the NIJ Strategy during 2012-2016 has conditioned the requirements set for human resources management in the NIJ. At the same time, according to the JSRS, it was necessary to amend the staffing plan of the institution, so as to foster the implementation of the suggested objectives. Unfortunately, the lack of material means has diminished the expected involvement of human resources in the gradual development of the training processes according to the suggested objectives.*

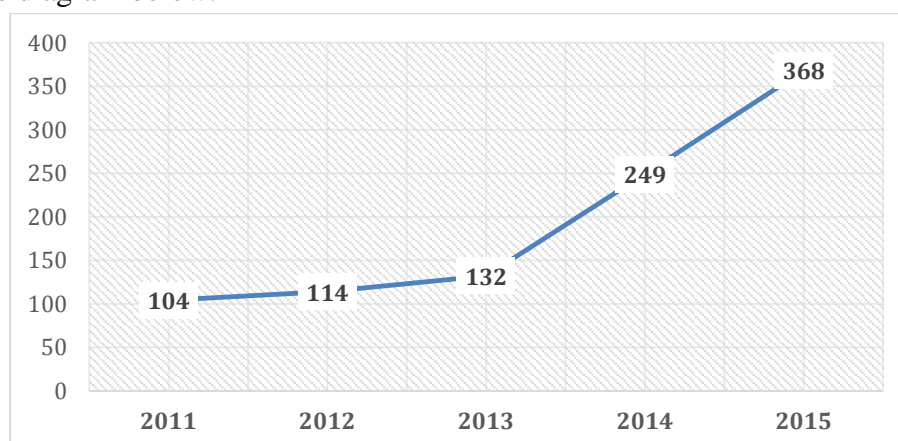
### 3.9.1. Human resources' management

The organizational structure for 2015 has included 73 personnel units, of which: 13 management personnel units, 28 – trainers, 26 – officials and employees, 6 – workers. This structure was maintained over the last three years, although the NIJ tasks and objectives have been cardinally changed in the context of the JSRS implementation. The classification of the personnel was performed in line with the Classifier of Occupations in the RM through the staffing plan of the NIJ for 2015. Based on the NIJ Board Decision No. 1/1 dated 30.01.2015 these plans were approved and submitted subsequently to the Territorial Labor Inspection.

The modification of the work relations during 2015 was carried out based on the legal requirements according to the procedures for promotion, transfer, suspension, and termination of such relations in case of dismissal or resignation of the concerned person. During 2015 for the 45 administrative and auxiliary personnel units of the NIJ – 11 persons were employed, 19 persons resigned, 4 persons were transferred, and 5 persons were on maternity leaves / partially paid leave for taking care of the child up to 3 years old. As part of the total number of personnel, 31 women and 9 men with the average age of 40 years old were working in the NIJ by the end of the reported year.

As of 31.12.2015 the staffing plan of the institution included 3 persons with PhD in Legal Science, 36 persons with higher education, 19 persons with Master degree, 2 persons with special secondary education, 8 persons with secondary education, thus denoting a higher level of training of the personnel involved in preparing the training process in the NIJ.

During the reported period, 13 individual work contracts, including through cumulation, and 21 additional agreements were concluded with NIJ personnel. A number of 25 contracts through cumulation and 368 service provision contracts were concluded with trainers. The number of service provision contracts concluded with the NIJ trainers during 2011-2015 is shown in the diagram below.



The annual increase of the number of concluded contracts reveals the fact that the number of activities within training processes, mainly in relation to continuous training, has increased a lot as compared to the previous years.

### 3.9.2. Human resources' development

During the reported period, there was developed the draft Action Plan for developing and enhancing the NIJ human resources' management for 2015-2016. It was prepared for developing the actions included in the VI Chapter "Human Resources' Management" from the Action Plan for implementing the NIJ Strategy in 2012-2016.

Based on the proposals coming from the NIJ structural subdivisions, the draft Training Plan for Administrative and Auxiliary Personnel was prepared. It provided for training the employees within specially organized seminars, as well as their participation in activities under the trainings organized by NIJ, including by development partners. Hence, with the USAID ROLISP support, the following trainings were organized:

- *Designing distance learning courses, from planning to fulfillment*, 15-16 January, 16 hours, 5 persons;
- *Training in advanced statistics of data analysis*, March – May, 49 hours, 10 persons;
- *Institutional management, management skills' development*, 15-16 June, 18 hours, 12 persons from the NIJ management;
- *Training in the area of developing and using performance indicators*, 26 October, 8 hours, 12 persons from NIJ management, with indicators' evaluation and development.

In total, during 2015 all the training forms covered 32 persons, of whom 27 women and 5 men, 3 persons aged up to 25 years old, 21 persons – from 25 to 54 years old, 8 persons – over 55 years old. A number of 11 persons participated in different trainings abroad (conferences, workshops), of whom 5 in Romania, 1 in Ukraine, and 7 – in other countries.

To analyze the trainings' impact on personnel activity processes, it is useful to examine the possibility to carry out the NIJ personnel evaluation according to the procedures set for the officials of public institutions. In the context of the above-mentioned, it is suggested to:

1. reexamine, in cooperation with the Head of NIJ subdivisions, the job descriptions of the NIJ personnel and submitting them to the NIJ management for approval;
2. establish the database with personal data of the NIJ employees and trainers, including in the area of professional training, necessary for human resources' management in NIJ;
3. participate jointly with the development partners' experts in developing the Regulations for internal training and evaluation of NIJ personnel performance;
4. study the needs and to submit proposals to development partners regarding NIJ human resources' management.

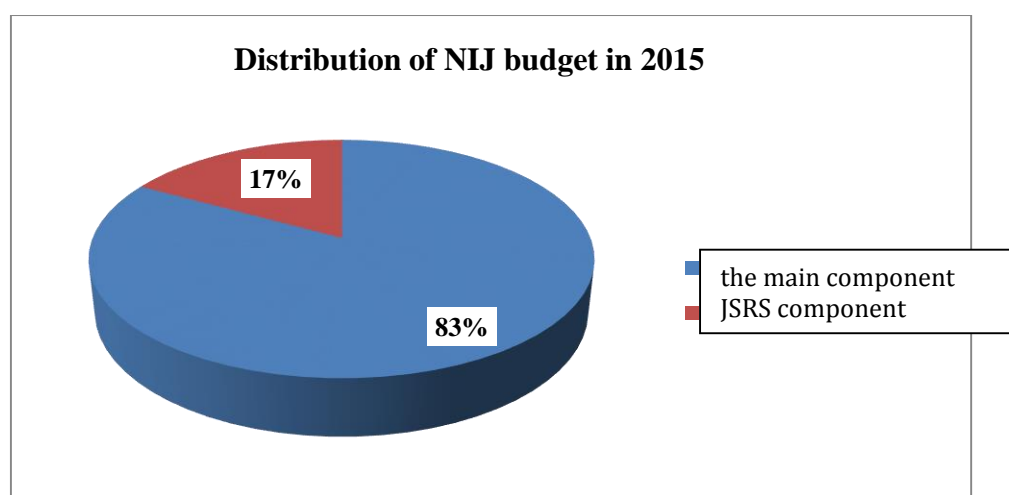
### **3.10. Financial resources**

*According to its status as a public institution, the NIJ manages public financial resources and is financed integrally from the state budget. The functional and institutional analysis of the financial resources aims to improve and optimize the level of NIJ budget execution. The rate of NIJ budget execution for 2015 accounted for 97.71%, which is a very good indicator.*

#### **3.10.1. NIJ budget**

The NIJ budget is developed based on programs and is a component part of the program 40 "Justice", with subprogram 12 "Professional training in justice area".

For 2015, the NIJ budget was approved and accounted for 14227.50 thousand MDL, out of which: 11854.60 thousand MDL were allocated for the basic component (type 067), and 2372.90 thousand MDL (type 478) – for implementing the JSRS. The information regarding the NIJ budget distribution for the main component and the JSRS in 2015 is presented in the below diagram.



Only 17% of the NIJ budget for 2015 was set using the funds allocated for implementing the actions deriving from the Action Plan for implementing the JSRS.

### 3.10.2 NIJ budget structure

The NIJ budget structure approved for 2015 is presented in the table below.

| Indicators  | Main component | JSRS    | Total   |
|---|----------------|---------|---------|
| 111.00 Work remuneration                                | 6271.40        | 1814.50 | 8085.90 |
| 112.00 State social insurance contribution              | 1291.50        | 397.20  | 1688.70 |
| 113.00 Payment for goods and services                   | 1080.00        | 102.50  | 1182.50 |
| 113.01 Electricity                                      | 132.00         | 0.00    | 132.00  |
| 113.03 Stationery, household materials and objects      | 20.00          | 0.00    | 20.00   |
| 113.04 Heating  | 240.00         | 0.00    | 240.00  |
| 113.06 Periodicals                                      | 40.00          | 0.00    | 40.00   |
| 113.11 Telecommunication and mail services              | 55.00          | 0.00    | 55.00   |
| 113.13 Transportation services                          | 70.00          | 0.00    | 70.00   |
| 113.17 Current repairing of the administrative building | 10.00          | 0.00    | 10.00   |
| 113.18 Current repairing of equipment and devices       | 25.00          | 0.00    | 25.00   |
| 113.22 Printing services                                | 25.00          | 0.00    | 25.00   |
| 113.24 Departmental periodical editions                 | 100.00         | 0.00    | 100.00  |
| 113.29 Inter-departmental guard                         | 221.40         | 0.00    | 221.40  |
| 113.30 IT works   | 55.00          | 100.00  | 155.00  |
| 113.34 Water and sewerage                               | 36.00          | 0.00    | 36.00   |

|  |                 |                |                 |
|--|-----------------|----------------|-----------------|
| 113.35 Sanitation  | 6.00            | 0.00           | 6.00            |
| 113.45 Goods and services not-attributed to other items                              | 19.60           | 0.00           | 19.60           |
| 113.47 Bank fees   | 25.00           | 2.50           | 27.50           |
| 114.02 Trips abroad  | 30.00           | 0.00           | 30.00           |
| 116.01 Compulsory health insurance premiums paid by employers in the country         | 215.60          | 58.70          | 274.30          |
| 135.00 Transfers to the population   | 2966.10         | 0.00           | 2966.10         |
| 135.07 Scholarships  | 2931.10         | 0.00           | 2931.10         |
| 135.33 Allowances for temporary work incapacity paid from employer's financial means | 35.00           | 0.00           | 35.00           |
| <b>TOTAL</b>   | <b>11854.60</b> | <b>2372.90</b> | <b>14227.50</b> |
| <i>Personnel expenses</i>  | <i>7778.50</i>  | <i>2270.40</i> | <i>10048.90</i> |
| <i>Recurrent expenses</i>  | <i>4076,10</i>  | <i>102.5</i>   | <i>4178,60</i>  |

### 3.10.3. Execution of budgetary allocations

The rate of NIJ budget execution as related to the specified budget accounts for 97.71%. This figure denotes a good management of the NIJ budget during the period of reference, as it is executed almost fully.

The rate of NIJ budget execution as related to the approved budget accounts also for 97.71%. As for the main component – the budget was executed for a share of 97.26% and for the JSRS component – 99.99%. The execution of the budgetary allocations by economic classification is presented in the below table.

(thousand MDL)

| No.                                  | Indicators   | Set amount                  | Executed amount             | % execution   | Non-executed |
|--------------------------------------|--|-----------------------------|-----------------------------|---------------|--------------|
| 1.                                   | Work remuneration  | 6674.50                     | 6664.8                      | 99,85%        | 9,7          |
| 2.                                   | State social insurance contribution  | 1487.90                     | 1487.80                     | 99,99%        | 0,1          |
| 3.                                   | Compulsory health insurance premiums   | 280.7                       | 278.8                       | 99,32%        | 1,9          |
| <b>Total expenses for personnel:</b> |  | <b>8443.10</b>              | <b>8431.40</b>              | <b>99,86%</b> | <b>11,7</b>  |
| 4.                                   | Transfers to population (trainees' scholarship)<br>(allowance for temporary work incapacity) | 3846.90<br>3826.60<br>20.30 | 3846.90<br>3826.60<br>20.30 | 100%          | -            |

|                      |  |                 |                |               |              |
|----------------------|--|-----------------|----------------|---------------|--------------|
| 5.                   | <b>Payment for goods and services</b>  | <b>1663.50</b>  | <b>1350.50</b> | <b>81,18%</b> | <b>313,0</b> |
| 6.                   | <b>Trips for duty purpose</b>  | <b>35.60</b>    | <b>35.60</b>   | <b>100%</b>   | <b>-</b>     |
| 7.                   | <b>Capital investments in constructions, administrative buildings (repairing the building)</b> | <b>238.40</b>   | <b>238.40</b>  | <b>100%</b>   | <b>-</b>     |
| 8.                   | <b>Net crediting</b>   |                 | <b>0,75</b>    |               | <b>0,75</b>  |
| <b>TOTAL BUDGET:</b> |  | <b>14227.50</b> | <b>13902,1</b> | <b>97,71%</b> | <b>325,4</b> |

As for the *personnel expenses*, the rate of financial means' capitalization accounted for 99.85%, including 99.80% for the main component and 100% for the JSRS component. The full non-capitalization of the financial means meant for the personnel derives mainly from the fact that during the planning stage – the number of personnel according to the staffing plan is taken into account, while the execution of the budget is carried out based on the real number of employees. Hence, savings appeared from this difference, being refocused for paying the scholarships for the NIJ trainees.

In item 135.07 “*Scholarships*” the allocated amount of 2931.10 thousand MDL was not enough for paying the scholarships for the NIJ trainees, which has increased over 2015 based on the Law No. 328 dated 23.12.2013, taking into account the provisions of the Government Decision No. 1000 dated 13.12.2013. Based on the modifications made to the General Financing Plan, it was possible to execute the budget for the respective item for an amount of 3826.60 thousand MDL.

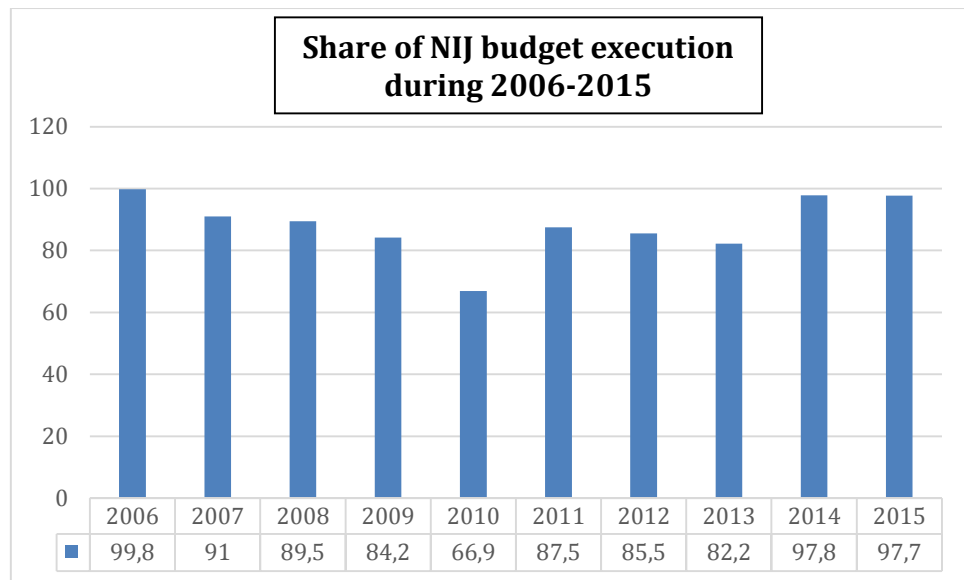
A *high execution rate* was registered for some items, due to the efforts undertaken by NIJ for carrying out the actions from the JSRS related to the establishment of a legal information center accessible for judges, prosecutors, and representatives of other legal professions, as well as procurement of necessary fixed assets.

At the same time, several expense items registered a *low execution rate* of the budget for the main component, because of non-financing of amounts: for item 113.03 “Stationery, household materials and objects” – an amount of 202,9 thousand MDL was not capitalized, this representing an execution rate of 77,4% from the planned budget; for item 113.17 “Current repairing of the administrative building” – an amount of 262,0 thousand MDL was capitalized, which is 70.1% of the planned budget; for item 113.23 “Protocol expenses” – only 2,5 thousand MDL was capitalized, which denotes an execution rate of 3.5% of the planned budget.

Taking into account that during 2015, the General Financing Plan was modified for the main component, the amounts from item 243.06 “Capital investments in constructions, administrative building” were relocated to item 111.00 “Work remuneration”. Based on these circumstances, the budget for the capital reparations expenses was executed for an amount of 238,4 thousand MDL, even if money was not allocated, hence providing the possibility to capitalize the financial means.

The execution rate for *operational expenses* for the JSRS accounted for 100%.

The share of budget execution as compared to the previous years is presented in the below diagram.





## PART IV. FINAL CONCLUSIONS

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The share of fulfilled strategic actions in the year of reference is rather high, hence denoting that the NIJ has undertaken the necessary actions for carrying out the JSRS. Moreover, the JSRS has a positive impact on planning the NIJ activities, although there are a lot of reserves and impediments in carrying out some actions which do not depend on the efforts undertaken by the administrative apparatus of the NIJ. There persists the risk for some actions to be not fulfilled. For all the actions to be carried out successfully, it is necessary for the Parliament of the RM to approve the draft law for amending and completing the Law on the NIJ, and for the RM Government to adopt the Regulation on how to establish and use the special means of the National Institute of Justice, as well as the Nomenclature and tariffs of the fee-based services provided by the National Institute of Justice. As well, it is inherent for the MF to allocate the personnel units necessary for the functioning of the LIDC, as well as financial means necessary for equipping the LIDC, finalizing the reconstruction of the NIJ premises, and develop its territory, and for building a training building with canteen.

For the purpose of carrying out its duties, during the year of reference the NIJ Board convened in 13 ordinary and extraordinary meetings, discussing and solving 65 issues. More than half of the issues discussed by the Board referred to the main duties of the NIJ: initial training, competitions, exams; continuous training and distance learning; recruitment, evaluation and training of trainers; didactical-methodological activity – 58%. As well, special attention was paid by the NIJ Board to the management area, partnership development, human and financial resources – 42%. The multidimensional approach of the issues related to the NIJ activity, prompt attitude and high responsibility of the Board members is one of the main factors allowing the successful implementation of NIJ activities.

The didactical-methodological activity was focused on continuing the good practice from the previous years and implementing new strategic actions, including with the functional duties' extension in the area.

During the initial training the trainees built their skills, attitudes, and competences specific for their profession, which would help them to fulfill the assigned duties at the highest level.

During the reported period, all the continuous training activities planned for 2015 were carried out, as well as additional ones, covering a huge number of beneficiaries. The training quality has improved, according to the results of activity evaluation, as the best practitioners in area were involved in the training activities, as well as representatives of different state institutions in different areas of interest (for instance, representatives of the State Chancellery, Labor Inspection, MLSPF, MF, NSIC, UNEJ, AGEPI, NIC, etc.). Some activities launched in 2014 were also continued in 2015 so as to train a bigger number of beneficiaries in certain areas, to standardize the practice, etc., and as a response to beneficiaries' requests, and other – for the purpose of implementing certain actions from strategic documents, but not necessarily being interesting and useful for concerned people.

Certain difficulties remain in relation to judges' and prosecutors' presence during the training. The persons seconded by the SCM and SCP/GPO do not come to seminars due to unknown reasons. This thing is a real concern and induces complaints from the NIJ partners, who plan a certain budget and invest a lot in organization of training events (foreign experts,

lunch breaks, coffee, accommodation, development of teaching materials, etc.). The NIJ has notified the SCM and SCP in this respect, but the situation did not change essentially for the time being. As well, some problems remain in relation to beneficiaries' presence all over the training. The judges and prosecutors who are not present during the seminar (and registration is performed 1-2 times per day) do not get the participation certificates, and this lead to certain conflicts and discontent. We really hope for the problem to get settled when electronic certificates will be issued, as well as when an internal document will stipulate the quantum of participation so as to get a certificate.

With the view of increasing the quality of the performed activities and to extend the continuous training policies within the NIJ, it is necessary to enhance the training personnel and the administrative personnel from institutional perspective, to decrease the number of continuous training topics included in the Annual Continuous Training Plan, the focus being on the training subjects/modules and on training a bigger number of beneficiaries related to the same subject, so as to standardize the accumulated knowledge; organization of seminars/conferences, which would be relevant for a wide circle of beneficiaries, filing them and posting them on the NIJ site; signing some *collaboration agreements* with the SCJ, SCM, courts of appeal and requesting for some persons to be appointed responsible for professional training and collaboration with the NIJ, including the monitoring of training within courts; enhancing institutional capacities of the administrative personnel, including by strengthening the analytical capacities, building linguistic skills, policy development, strategic planning, reporting, identification of qualitative indicators and training impact measurement, etc. For the purpose of ensuring qualitative training, it is necessary to permanently update the training of trainers' plans by identifying and including the priority training areas. An important contribution for performing the respective activities comes from the donors-partners of the NIJ.

The technical-information assurance of the NIJ derives from the IT needs' assessment and optimal technical solutions' design based on the NIJ activity peculiarities and its beneficiaries' characteristics. This vision ensured a realistic, rational, and well-reasoned approach to the suggested/implemented equipping and optimization. The interest and the results of NIJ cooperation with other partners within this segment may support the respective argument. A challenge in this respect would be the assimilation of new technologies by the users, ensuring technical assistance for employees and beneficiaries of the NIJ.

The experience of 2015 denotes an increased interest for distance learning – the result of promoting this idea since 2014 when e-learning was launched as a training option. A new stage in developing the respective area is the intensification of the interactive nature of the respective courses, and introduction of more options to facilitate them – video-conferences, mentoring, forums, blended learning.

The new information system of the NIJ represents a major step for digitalizing the NIJ activity. The results of the efforts undertaken during the current year will be harnessed during the next year. For a good operation, it will be necessary to ensure the maintenance and development of the system, but also to make it more popular among the NIJ beneficiaries.

Establishing and enhancing relations with external partners, intensifying and diversifying cooperation opportunities, harnessing the possibilities and fostering the efforts to benefit from other activities, as well as participation of NIJ representatives in international activities have allowed the access to the process of building an European judicial culture, aligning the

institution to the international requirements and standards for magistracy schools, and developing it as a modern platform of professional training.

The fulfilment of the commitments and obligations resulting from the cooperation mechanisms represented one of the fundamental priorities for NIJ activity. In relation to external relations and partnerships, the NIJ fulfilled 80% of the objectives suggested for 2015. Because of lack of financial resources, deficiencies are registered in relation to internships and study visits for trainees abroad. During 2015, the NIJ has applied to TAIEX Program, managed by the General Enlargement Division of the European Commission, regarding the organization of a study visit for the NIJ trainees to the European Court of Human Rights. The aim was to familiarize the participants with the good European practice, but because of the incompliance with the program conditions, it was not possible to carry out this action. Nevertheless, the initial training trainees remain to be a priority for the NIJ and many efforts and donors' support was focused on them.

During 2015 an efficient collaboration with mass-media and journalists was carried out, and some of them have participated as trainers in the NIJ trainings. The focus was placed on improving the quality of scientific articles published in the NIJ magazine and constructive collaboration was promoted with the Central Publishing House so as to meet the NIJ needs on time and qualitatively. The NIJ site was used professionally with the aim to ensure total transparency, and the implementation of a number of rebranding initiatives supported the NIJ image promotion in front of the NIJ beneficiaries, development partners, and the whole society.

In these conditions, when the improvement of human resources' management becomes an indisputable condition for the success of the institution, it is necessary to undertake further efforts to implement the process of NIJ personnel evaluation according to the quality standards of the ISO procedures. As well, another focus would remain the collaboration with partners regarding the problem related to developing NIJ human resources' management, including in the area of professional training.

The budget execution for 100% as related to the approved one is practically impossible, as it is not possible to take into account all the internal and external factors, used as basis for developing budget proposals, and which influence directly or indirectly the budget execution. Hence the execution of the budget for a share of 97.71% as related to the approved one denotes a good management of the NIJ budget during the period of reference, as it was executed almost entirely.

## **PART V: ANNEXES**

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ANNEX 1 – Report on level of fulfilment in 2015 of actions set in the Action Plan for implementing the Strategy for developing and enhancing the institutional, managerial, and didactical-scientific capacities of the NIJ during 2012-2016

ANNEX 2 – Report on fulfilment of the Action Plan for implementing the Concept of initial training of candidates for judge and prosecutor positions, as well as other lawyers who contribute to pursuing justice and the Concept of continuous training of judges, prosecutors, and other professionals from the justice sector for May 2014 – December 2015

ANNEX 3 – Report on implementation by the NIJ in 2015 of the actions set in the Action Plan for implementing the Justice Sector Reform Strategy for 2011-2016