



**FINAL REPORT**

**United Nations Development Programme**

**Republic of Moldova**

**Support to Justice Sector Reform Programme**

**October 2021**

<b>Reporting Period</b>	2014-2021
<b>Donor</b>	General Prosecutor`s Office, Government of Romania, UNDP, Government of Italy, U.S. Government, National Centre of Judicial Expertise, National Institute of Justice
<b>Country</b>	Republic of Moldova
<b>Project Title</b>	Support to Justice Sector Reform Programme
<b>Project ID (Atlas Award ID)</b>	00062264
<b>Outputs (Atlas Project ID and Description)</b>	00088321/To strengthen and support the comprehensive efforts to reform the justice sector in Moldova achieving the independence, accountability, impartiality, efficiency and transparency of justice system
<b>Implementing Partner(s)</b>	General Prosecutor`s Office, National Prison Administration (former Department of Penitentiary Institutions), Ministry of Justice, National Centre for Judicial Expertise, National Institute of Justice
<b>Project Phase Start Date</b>	January 2014
<b>Project Phase End Date</b>	April 2021
<b>Revenue received</b>	<ul style="list-style-type: none"> <li>• Regular <span style="float: right;"><b>USD 82,340.94</b></span></li> <li>• Other           <ul style="list-style-type: none"> <li>○ <b>Government of Romania</b> <span style="float: right;"><b>USD 120,744.00</b></span></li> <li>○ <b>General Prosecutor`s Office</b> <span style="float: right;"><b>USD 165,110.94</b></span></li> <li>○ <b>Government of Italy</b> <span style="float: right;"><b>USD 81,946.21</b></span></li> <li>○ <b>U.S. Government (USDoS &amp; INL)</b> <span style="float: right;"><b>USD 475,200.00</b></span></li> <li>○ <b>National Institute of Justice</b> <span style="float: right;"><b>USD 235,647.94</b></span></li> <li>○ <b>National Centre for Judicial Expertise</b> <span style="float: right;"><b>USD 615,735.46</b></span></li> </ul> </li> <li>• <b>Total</b> <span style="float: right;"><b>USD 1,776,725.49</b></span></li> </ul>
<b>Unfunded budget</b>	N/A
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## I. Background

Implementation of the Justice Sector Reform is one of the main pre-requisites for Moldova to advance the overall reform process and to achieve compliance with the internationally recognized democratic standards. At the same time, an efficient, transparent and reliable justice system is a precondition for the sustainable development. Started in 2011 as an initiative, meant to assist the Government of the Republic of Moldova to develop and operationalize the Justice Sector Reform Strategy (2011-2016), the Project has gradually shifted from policy formulation to practical implementation of targeted interventions, defined in strategic reform documents, unified by the overall goal of achieving a more efficient, fair, accountable and transparent justice system for the benefit of men and women from Moldova.

The Project continued to support national stakeholders in advancing the justice sector reform and in strengthening the capacities of targeted justice chain institutions to ensure that the reforms are on track with tangible and visible results both for the professional groups involved and the broader public.

Under the current phase (2014-2021), the progress towards the proposed overall objective was done by implementing the following project components:

1. Improving the capacities of law enforcement bodies to manage data, to collect and administer the criminal justice statistics;
2. Strengthening the individual and institutional capacities to prevent and fight torture and impunity;
3. Strengthening juvenile prisoners' vocational training for their re-socialisation and employment after their release;
4. Supporting the formulation of policies on fees and taxation of legal services providers;
5. Support to judicial expertise reform;
6. Strengthening professional training capacities of the National Institute of Justice.

## II. Results achieved

### **Component 1: Improving the capacities of law enforcement bodies to manage data, to collect and administer the criminal justice statistics (2014-2015)**

The implementation of this project component has been successfully completed. The tailored IT product developed with Project's support provides the Prosecution Service with a digital document management solution allowing the prosecutors to better manage criminal files and generate accurate statistics and reports through the automation of internal procedures and processes. Being a web-based solution, eCASE IS allows remote connection from any device connected to Internet.

The eCASE IS contains several modules built around internal workflows, including the document management module, notification and prosecution phases' sub-processes with procedural forms,

sub-processes for adding individuals and legal entities, civil claims, procedural actions during notification and prosecutions phases, damages caused by identified crimes, etc.

The system unifies data received from different law enforcement agencies. It covers all stages of criminal investigation conducted or supervised by the prosecutor. This instrument provides the prosecutors with access to real-time data, allow better monitoring of deadlines for tasks/cases, reduces the delays in taking decisions related to the criminal case, as well as ensures a more transparent decision-making process within the prosecution service.

eCASE IS ensures different levels of secured access to data. Only the prosecutor in charge has the permission to handle the case, which allows to monitor and track any change. The supervisors can only see the information, without editing permission. eCASE IS functionalities could be extended for the purpose of conducting performance evaluation of prosecutors and other criminal investigation bodies.

The eCASE IS was officially launched<sup>1</sup> by the General Prosecutors Office and UNDP on 16 July 2015.

In addition to the developed software, actions have been undertaken to ensure an appropriate hardware environment (basic networking equipment and accessories) to pilot the system in six territorial units before a full-fledged use of the system. At the same time, the productivity of servers and networking equipment was enhanced by providing additional equipment (servers, routers, switches, scanners, other accessories) to support a better interconnection and exchange of data.

## **Component 2: Strengthening the individual and institutional capacities to prevent and fight torture and impunity (2014-2015)**

The implementation of this project component has been successfully completed. Low level of professional knowledge and capacities was recognized as one of the reasons why torture and other forms of ill-treatment happen. A number of professional groups (including, but not limiting to prison staff, police staff, medical staff, forensic doctors, prosecutors, lawyers) have their roles in preventing, identifying and investigating torture.

This activity aimed at strengthening the professional capacities of detention facilities staff to respond to torture allegations and to prevent this kind of situations. The training delivered covered international standards and national standards (particularly, the new wording of the article on torture from the Criminal Code (Art.166<sup>1</sup>), the amendments to the Criminal Procedure Code, the new regulation on the identification, registration and reporting of torture and ill-treatment cases),

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<sup>1</sup> Prezentarea Sistemului informațional automatizat „E-Dosar”,

[http://www.procuratura.md/md/news/1211/1/6275/;](http://www.procuratura.md/md/news/1211/1/6275/)

General Prosecutor’s Office launched E-Case Informational System to better manage criminal files,

<http://www.md.undp.org/content/moldova/en/home/presscenter/pressreleases/2015/07/16/general-prosecutor-s-office-launched-e-case-informational-system-to-better-manage-criminal-files.html>

importance of access to a forensic doctor in case of torture allegations, internal investigation and prosecutor`s investigation of torture allegation, limits of legal use of force in detention places, discrimination as a ground for ill-treatment, elements of conflict management within detention facilities, etc.

The **training programme** capitalized on expertise of other public institutions, including GPO's Torture Combating Unit, Centre for Legal Medicine and Equality Council. It involved interactive methods of training with a focus on working in groups and discussion of problematic issues. Overall, 100 prison staff members (including 89 men and 11 women) representing all penitentiary institutions from Moldova and the National Prison Administration (former Department of Penitentiary Institutions) benefited from these trainings.

The majority of participants (73 out of 100) rated the trainings as "good" and "very good". Some participants' comments were as follows: 'I found out something new and interesting both from the interaction with the training team and the discussions with my colleagues'; 'equal participation and involvement of the participants in working in groups'; 'the voice of each one was heard'; 'practical information, useful for the daily activity'; 'I think it was one of the most successful trainings I have ever attended where concrete answers to the practical problems were provided'; 'the information was delivered in a simple and accessible manner'; 'positive attitude and respect towards participants'; 'a rare opportunity to meet other colleagues and share and learn experiences'.

Out of five options ('helped to confirm some ideas'; 'provided new ideas and approaches'; 'informed what others are doing and what solutions they identified'; 'offered the possibility to objectively observe myself and my activity'; 'offered the possibility to gather some new knowledge/develop some abilities') the majority of participants noted 'providing new ideas and approaches' and 'gathering new knowledge and developing abilities' as the main direct benefits of the training sessions.

Some indirect benefits highlighted by the participants were as follows: 'I understood that identifying the psychological trauma is as important as the documentation of physical injuries'; 'the topics discussed are not addressed during standard training sessions'; 'getting and working together with colleagues from other services and prisons'; 'the possibility to consult the opinion of other colleagues on a specific issue'.

The majority of participants manifested a proactive attitude, which is certainly an added value of the training courses: 'I shall examine more thoroughly the torture allegations'; 'torture must be annihilated and we should start with ourselves'; 'I realized once again the importance of qualitative forensic expertise'; 'to share the gathered knowledge with my colleagues'; 'to be more accurate when filling in the medical form'; 'to extend this course to all medical staff'; 'there is torture and it should be uprooted'.

Besides building capacities of prison staff on standards to prevent and promptly react to acts of torture and ill-treatment, the Project focused on **building the capacity of anti-torture prosecutors** to promptly investigate allegations of torture and ill-treatment in mental health facilities. Joining the efforts with another UNDP Project (Strengthening National Capacities to

Protect the Most Vulnerable from Torture in Moldova), a 3-day training course on “Investigation of cases of Torture and Related Ill-treatment in Psychiatric Institutions” was organized in December 2014. The focus of the training was on investigation, supporting victims, and using experts during different stages of investigation. In addition, since the prosecutors are agents of the government, the obligations of the government to provide access to justice for people with disabilities under Article 13 of the CRPD and steps prosecutors can take to ensure full participation of people with intellectual and psycho-social disabilities in all stages of proceedings to comply with Article 13 were emphasised.

The training gathered 20 prosecutors (5 women and 15 men), strengthening their knowledge and capacity in:

- Understanding and applying the international legal framework and European standards related to torture and ill-treatment in mental health facilities;
- Gaining knowledge of the types of violations occurring in mental health settings in Moldova;
- Understanding the barriers to investigating torture and ill-treatment in mental health settings and developing strategies to overcome them;
- Understanding and applying best practices for gathering evidence;
- Understanding and applying strategies for dealing with challenges related to credibility and competence of victims and witnesses with intellectual and psycho-social disabilities.

In addition to this, the **Guidelines on investigation of cases of torture of women and men with psycho-social and intellectual disabilities** were drafted with Project support to be used by the GPO's Torture Combatting Section. The Guidelines include a framework through which the prosecutors can understand the issue of torture and ill-treatment in mental health settings, especially in the light of recent developments in international law and standards. The document also draws extensively on the best practices and guidance materials from a number of different common law jurisdictions (the United States, the United Kingdom and Australia). The Guidelines were consulted and tested with 19 prosecutors (2 women, 17 men) investigating cases of torture in mental health facilities. The document was approved by the General Prosecutor through the Order 39/8 of 30 December 2015 and put into application, being incorporated with the Prosecutors work as an internal guiding standard.

The capacity building of anti-torture prosecutors was further reinforced by providing 50 units of basic mobile equipment (tablet PCs) to ensure the connectivity of territorial prosecutors to the central databases, as well as to be used for the documentation of preliminary investigative actions in cases of torture allegations.

### **Component 3: Strengthening juvenile prisoners' vocational training for their re-socialisation and employment after their release (2014-2015)**

The implementation of this project component has been successfully completed. The Project contributed to strengthening the professional capacities of the prison staff to assist the juvenile

inmates in the process of rehabilitation and reintegration into society, as well as to improve the vocational training infrastructure to ensure access of juveniles to complex and participative training activities.

Following the training needs assessment conducted by the Department of Penitentiary Institutions (DPI), two main topics were identified and integrated into the overall project design: training on cognitive program for anger management/violence reduction amongst the juvenile inmates and training on Motivational Interviewing for prison staff working with juvenile inmates. Both training sessions were based on the Romanian experience and expertise.

Overall, these training sessions gathered 58 participants (including 26 men and 32 women) from Goian Prison, other prisons where juveniles are detained and probation counsellors. The participants represented different services which interacts with the young inmates, including social assistants, psychologists, security and regime specialists, educational service.

**Training on cognitive program for anger management/violence reduction** was organized in two rounds and piloting period between the training sessions. The first round of training sessions (31 March-04 April 2014) introduced the participants to the general concept, paying particular attention to issues like violent behaviour, preventing self-harm, understanding the specifics of teenagers` development, the techniques used in daily work with children inmates, understanding the cognitive-behavioural models in the work with children inmates.

The next step of this learning exercise was to pilot behavioural correction programs for a period of up to 6 months by the staff involved in trainings. In total, 14 out of 25 inmates were involved in 2014 in this kind of programs. The criteria for the selection of juvenile inmates to take part in these programs were: rank in the inmates` hierarchy (high and low position in their `subculture`), level of motivation (high and low level), and level of cognitive development and cognitive functioning (high and low level).

Moreover, the DPI approved in July 2014 a special program for the preparation of young inmates for release. This program includes a separate module on developing cognitive, social and conflict resolution skills of children for a better reintegration into society. This module is mainly based on the techniques presented during the training on anger management/violence reduction and was consulted with the Romanian expert for his professional input.

The second round of training session on anger management/violence reduction (08-10 September 2014) was focused on analysis of problems encountered during the piloting period, work over lessons learned, as well as a number of additional training sessions to deepen the knowledge and skills gathered during the previous stages.

The main changes the participants have noticed during the piloting period are:

- The youngsters got involved in themes proposed by the staff, which stimulated vivid debates;
- They started to learn the main Cognitive-Behavioural Therapy (CBT) tools;
- The juveniles began to observe the link between thoughts – feeling – behaviours;

- The young offenders began to practice a new prosocial routine: to attend group sessions.

Both training rounds included direct interaction with and observation of juvenile inmates. It was noted that during the second round of training sessions (September 2014) a larger number of inmates participated in discussion, were more prone to talk openly as compared to the first training round (April 2014). The expert suggested that the fact that an inmate can talk in a correctional setting freely (especially, in front of the others) is an indicator of a safe environment.

The second block of capacity building activities was focused on training sessions (04-08 August 2014) for the prison staff on **Motivational Interviewing** as a technique for the efficient re-integration of inmates into the society. The training modules addressed a number of skills required for the staff to work with juvenile inmates in the process of preparing for release and their reintegration into the society, including bio-psycho characteristics of the minor and relevance for social reinsertion, concepts of social reintegration, techniques for implementing interventions for developing the juvenile's social reinsertion – interview, counselling, motivational interviewing, group work; Motivational Interviewing and the psycho-social competencies (skills) for social reintegration, counselling in the context of Motivational Interviewing, and other relevant topics.

Daily evaluation revealed a number of positive changes. If at the beginning of the training the information was considered by a part of participants difficult to be absorbed, during the training this was not any longer an issue since the provided information was constantly reviewed, addressed in different ways through interactive approaches. In time, as it was stated by the participants, it was “more and more difficult to find something unpleasant”.

The training component was reinforced by the exposure of a group of Moldovan prison specialists (3 men and 4 women) to the modern techniques of work in prison environment in the framework of a **study visit** (01-04 July 2014) to specialized facilities from Romania (Targu Ocna, Bacau) where juvenile inmates are detained and are taking part in various correction programs.

The second objective of the project component aimed at providing **appropriate premises and facilities for four workshops** meant to stimulate the creative potential of juveniles including by means of implementation of the Art Therapy Concepts and occupational therapy and to provide optimal conditions for making the study process more efficient and motivating. Thus, the negative impact of prison environment on the juvenile inmates will be decreased.

The spaces were renovated taking into account the purpose these will be used to. For instance, the room which will be used as the pottery workshop was provided with additional electric sockets and proper ventilation system. In total, 8 rooms and other auxiliary spaces were renovated.

Besides the renovation of premises, the vocational training centre was provided with basic furniture, equipment and consumables for a proper operation. The pottery workshop was provided with specialized equipment: kiln for firing pottery (1 pcs), pottery wheels (2 pcs), banding wheel (3 pcs), and ceramic tools sets (5 pcs). These tools will be used for the vocational training activities and occupational therapy. In addition, through project support young inmates are now benefiting from primary consumables and instruments for cobbling, cooking and hairdressing classes.

The vocational training centre is operational since March 2015.<sup>2</sup> Juvenile inmates at Goian Prison for boys are benefiting from better conditions for vocational training programs and occupational therapy activities aimed at increasing the rate of successful reintegration of ex-detainees into society. Vocational training infrastructure is used to ensure access of young inmates to multi-dimensional participatory training activities. By using the newly renovated workshop rooms 32 boys were qualified in 2015 as cobblers, cooks, auto fitters/mechanics, and hairdressers.

#### **Component 4: Supporting the formulation of policies on fees and taxation of legal services providers (2014-2015)**

The implementation of this project component has been successfully completed. One of the priority issues stated in the Justice Sector Reform Strategy was linked to the status of the services provided in the justice sector by various justice system related professions (defense lawyers, notaries, bailiffs, judicial experts, mediators, translators/ interpreters, insolvency administrators). There was a large understanding that tariffs (pricing for the provided services) are established arbitrarily by the service providers, without having a methodology to make the calculations based on clear criteria and indicators. On the other hand, the taxation of the justice system related professions was based on different regulations, was complicated and it was difficult to monitor the implementation.

In 2014, the Ministry of Justice requested UNDP to provide the international expertise that would support the process of analyzing the situation related to fees, taxation and social security of legal professions and formulate recommendations for the improvement of the taxation and social security mechanisms for the legal professions.

The study on tariffs and taxation of justice system related professions was completed in a participatory way through a series of consultations with the representatives of the concerned legal professions, organized in May 2015. The consultations were also used as a platform for advocating for stronger integrity of the professions and for provision of people-centered services. The study was based on an analysis of the situation in the pricing mechanisms (tariffs), tax regime, social security, medical insurance and pension payments systems in relation to the justice system professions. The main focus of the recommendations was to create common taxation rules for all related professions that would be similar to the conditions of taxation that exist for other free professions and sole entrepreneurs in similar circumstances.

Based on these recommendations, two draft laws (with the respective explanatory notes) were prepared with Project's support: 1) a draft law to amend the Fiscal Code and the Law on the Public System of Social Security and 2) a draft law on the principles and legal framework of

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<sup>2</sup> Deținuții minori vor beneficia de condiții mai bune pentru formare profesională și resocializare <http://justice.gov.md/libview.php?l=ro&idc=4&id=2505>; Juveniles in detention will benefit from better conditions for vocational training and resocialization <http://www.md.undp.org/content/moldova/en/home/presscenter/pressreleases/2015/03/18/juveniles-in-detention-will-benefit-from-better-conditions-for-vocational-training-and-re-socialization/>



obligatory contributions and tariffs of representatives of justice system related professions. All drafts were submitted together with the RIA that provided the financial analysis of the proposed legislative amendments.

The amendments to the Tax Code, entered into force since 1 January 2017, establish a unified approach to the taxation of justice sector professionals. Their income will be subject to 18% income tax, while a number of deductions will be applicable in line with the general rules. This category of professionals includes lawyers, apprentice lawyers, public notaries, bailiffs, authorized insolvency administrators, mediators, judicial/forensic experts within the judicial/forensic expertise bureau, authorized interpreters/translators.

### **Component 5: Support to judicial expertise reform (2015-2021)**

The activities planned under this project component have been successfully completed. Modernization of the judicial expertise/forensic system is indispensable for achieving a fair and transparent justice system. The quality and accuracy of forensic investigations and examinations have an extensive impact on the quality of justice and affect the overall perception of users about the justice system. Thus, a well-established forensic infrastructure, compliant with the quality standards and equipped with all relevant tools, is crucial for the delivery of justice to all.

The objective of this particular project component was to contribute to achieving a more transparent, fair and accountable justice system by strengthening the capacities of the National Centre for Judicial Expertise (NCJE) to provide access to reliable forensic evidence based on internal quality assurance mechanism established in line with international standards.

The activities under this project component aimed at aligning the NCJE processes and procedures to the applicable ISO standards, building professional knowledge and capacities of forensic experts, as well as enhancing the technical capabilities of the institution to perform forensic investigations in a fit-for-purpose working environment.

With Project's assistance, the National Centre of Judicial Expertise introduced a new quality management system and successfully achieved the **accreditation** in line with the ISO/IEC 17025 "General requirements for the competence of testing and calibration laboratories" for handwriting forensic investigations in July 2017<sup>3</sup>, becoming the first justice related institution in Moldova, which was accredited in line with an ISO standard and the first forensic institution in Moldova accredited in line with ISO/IEC 17025 requirements. Being accredited, the NCJE established an efficient management system and improved testing schemes and looks forward to fewer complaints and a stronger competitive edge.

In October 2018<sup>4</sup> the scope of ISO/IEC 17025 accreditation of NCJE has been expanded to include the investigation of road accidents. The project's support provided covered a wide range

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<sup>3</sup> International recognition of judicial expertise performed by NCJE,

<http://www.justice.gov.md/libview.php?l=ro&idc=4&id=3544>

<sup>4</sup> <http://cnej.gov.md/ro/content/extinderea-acreditarii-laboratoarele-cnej>

of interventions, from specialized training for using modern simulation software instruments to engaging with the national accreditation body (MOLDAC) to perform the assessment. Thus, expanding the scope of ISO/IEC 17025 accreditation of NCJE has further contributed to the improvement of the overall performance of the institution, making the expertise more reliable. The increased accuracy and reliability of the evidence provided by the forensic expertise following the ISO accreditation contributes to the strong evidence-based courts' rulings and to an increased public's trust in the justice system in general.

Project support in **building professional knowledge and capacities** of forensic experts included various interventions focusing both on increasing the knowledge about the ISO accreditation and organization of related processes in line with standard's requirements to specialized training in the area of expertise. The project has also fostered professional networking and exchange with peer forensic institutions (Romania, Estonia) and professional networks (European Network of Forensic Science Institutions - ENFSI). Overall, the capacity building activities conducted with Project's support (professional training, ISO training, exchange visits, interlaboratory cooperation, etc.) engaged 63 professionals (37 men, 26 women) from the National Centre of Judicial Expertise, but also other peer institutions that perform forensic expertise (Police Forensic Centre, Centre for Legal Medicine, Forensic Unit of the National Anticorruption Centre) to contribute to interinstitutional collaboration and better quality of forensic expertise across all forensic institutions. A selection of topics of professional training the forensic experts were exposed to include:

- Using the collision and trajectory simulation software (PC-Crash) in analyzing and investigating road accidents (organized by the Forensic Science and Research Institute from Odessa, Ukraine - April 2018); beneficiary – NCJE;
- Building internal evaluation/auditing capacities as required in chapter 4.14.1 of the ISO/IEC 17025 standard (organized by MOLDAC – June 2015, June 2016, August 2017); beneficiary – National Centre of Judicial Expertise, National Anticorruption Centre;
- Traceability of measurement results and comparison schemes for laboratories (chapter 5.6 and 5.9 of ISO 17025:2005 standard) (organized by the Romanian Accreditation Association (RENAR), September – October 2015); beneficiary – National Centre for Judicial Expertise, Police Forensic Centre, Centre for Legal Medicine, Forensic Unit of the National Anticorruption Centre.

Building on the strategic partnership established between the Ministry of Justice of Romania and the Ministry of Justice of the Republic of Moldova, a peer review programme has been put in place with Project support between the National Centre of Judicial Expertise from Moldova and the National Institute for Forensic Expertise from Romania, allowing the Moldovan judicial/forensic experts to interact and benefit from the expertise and support of their Romanian colleagues in the context of ISO 17025 accreditation. The four working visits facilitated by the Project in the framework of the peer review programme proved to be essential for the NCJE preparations for the ISO accreditation. The few nonconformities identified during MOLDAC's ISO accreditation assessment were remedied promptly with Romanian peers' support, that led to the successful accreditation of NCJE in line with ISO 17025 standard in 2017.

Furthermore, through the peer review programme the NCJE got valuable knowledge and insights on how to organize the process of extending the scope of ISO accreditation to other fields of expertise. It also benefited from peer review of draft documentation required for the extension of accreditation to new areas of forensic expertise (road accidents, dactyloscopy) with a focus on traceability of measurement, sampling, handling of test items, reporting of results. NCJE staff has also benefited from guidance on how to improve the quality assurance documentation. At the same time, NCJE and NIFE engaged in interlaboratory tests (a mandatory requirement for ISO accreditation), meant to prove the professional competences of the laboratories under the accreditation.

In addition, the successful ISO accreditation has also opened to the NCJE new opportunities for professional exchange and knowledge sharing:

- NCJE became eligible and has submitted in April 2017 the application for ENFSI (European Network of Forensic Science Institutes) membership;
- NCJE staff was invited to attend the meetings of ENFSI working groups. With Project support, one representative of NCJE (woman) participated in the meeting of the Working Group of the European Network of Forensic Handwriting Experts (October 2017);<sup>5</sup>
- NCJE staff persons consulted their Romanian peers in a complex forensic investigation involving chemical analysis of explosives.

Efforts to strengthen professional capacities of the NCJE staff to comply with the requirement of ISO/IEC 17025 standard were coupled with enhancing the **technical capabilities** of the forensic laboratories and experts to conduct investigations in the areas of expertise supported by ISO 17025 accreditation and beyond and provide consistent forensic investigation reports. The Project provided the NCJE with small scale laboratory equipment, ICT devices and peripherals, and specialized software (collision and trajectory simulation software PC Crash, CorelDraw), meant to strengthen these capacities.

In addition, three pieces of **specialized laboratory equipment** for chemical investigations (Gas Chromatograph and Fourier-Transform Infrared Spectrometer) and examination of questioned documents (Video Spectral Comparator with accessories) coupled with relevant ICT solutions have been provided to the NCJE to boost the investigative capacities of the institution and ensure the access of forensic experts to up-to-date technologies for a more accurate examination of cases. These instruments are also opening the possibility for further expanding the ISO accreditation to additional areas of forensic expertise.

Furthermore, the forensic experts benefited from modern forensic and scientific literature (more than 20 titles in Romanian and Russian) and certified measuring devices meant to reinforce their

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<sup>5</sup> International forum of forensic experts (ENFSI), the meeting of the Working Group of the European Network of Forensic Handwriting Experts (WG ENFHEX), <http://cnej.gov.md/ro/content/forumul-international-al-expertilor-criminalisti-enfsi-sedinta-grupului-de-lucru-pe>

capacities to update investigation methodologies/protocols and produce more reliable investigation results.

The Project provided also support in enhancing the technical capacities of NCJE to perform forensic investigations and to provide reliable pieces of evidence by **renovating the NCJE premises**<sup>6</sup> and creating an adequate physical environment for judicial investigation activities of NCJE staff. The new design of the NCJE building reflects a user friendly and accessible layout, including for people with disabilities. The renovated premises create a functional working atmosphere responding to specific needs. The reorganization of the space considered the purpose and the operations of each laboratory, offering the necessary utilities and infrastructure. The use of “universal design” approach (access ramp, stairlift, universal design of doors, accessible toilet) made the building more accessible for persons with mobility impairments or elderly people.

Furthermore, as the NCJE building is included in the list of monuments of architecture, the interventions carried out have preserved the historical appearance and decorative elements of the facade for the benefit of the Chisinau community.

#### **Component 6: Strengthening professional training capacities of the National Institute of Justice (2016-2019)**

The activities planned under this project component have been successfully completed. The objective of this project component was to strengthen the rule of law and human rights protection through creating better conditions for the provision of efficient training for justice professionals in Moldova and to improve the quality of judicial reasoning by Moldovan courts.

One part of this intervention helped the National Institute of Justice (NIJ) to improve the practical training capacities by creating appropriate spaces and facilities for an efficient training programme, based on practice-oriented exercises, and out-of-class networking activities.

Following an audit of the NIJ building, two spaces were redesigned and renovated being used as simulation court rooms. At the same time, considering the space limitation the NIJ is facing, these rooms offer a flexible training space, allowing a multipurpose use for different type of interaction and professional engagement. The design agreed with the NIJ implied a multifunctional environment for new learning experiences and provides a platform for sharing knowledge and best practices through a range of capacity development activities.

Following the technical examination of NIJ premises, the need to reinforce the NIJ building in line with applicable anti-seismic requirements was identified. Considering the Project plans to intervene in building's structure, NIJ has decided to contribute with its own funds to Project budget to ensure a uniform approach to reinforcement of the entire building, increasing at the same time the accessibility of NIJ infrastructure and performing some restyling of interior space.

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<sup>6</sup> See Annex 1 for more details.

Thus, the Project efforts focused on improving the NIJ's practical training capacities by creating appropriate space and facilities for an efficient professional training of justice professionals. With renovated and equipped premises, the NIJ pursues new approaches to training of future judges and prosecutors, shifting from law textbooks to practice-oriented exercises and mock trial learning model and out-of-class networking activities. The new training infrastructure<sup>7</sup> ensures safe conditions for the activity of the NIJ and provides an enabling environment for a transformative change of the institution's activity, supporting NIJ's endeavour to modernize the judicial training in Moldova.

The NIJ trainees are now using two multifunctional upgraded training rooms that re-create the courtroom settings and can also be adapted to other specific training related needs and tasks. The rooms are equipped with necessary furniture, IT, video and audio recording tools to be used in training and post-training sessions. This new versatile and transparent infrastructure comes to further strengthen the learning process of future judges and prosecutors. By immersing into the atmosphere and the spirit of a court room, the NIJ trainees have the possibility to develop and experience the knowledge, skills and attitudes expected from them by the justice system users.

The renovated premises also make the institution more inclusive and accessible to all men and women with disabilities (access ramps, tactile pavement, accessible toilets and staircase lift). In doing this the 'user safari' technique was used: an innovative tool representing a different way of understanding how people interact with and experience a service or environment. By directly engaging people with disabilities, valuable insights were collected that shaped the design taking into account users' expectations and needs. In terms of accessibility, the NIJ became an example for all justice sector institutions.<sup>8</sup>

Furthermore, the Project helped NIJ to further improve the graduation processes by providing the institution with a performant book scanner, used for the digitization of case studies and other materials for the final examination of NIJ trainees. More than 90,000 pages of case studies have been digitalized for this purpose so far. The candidates are thus using electronic/scanned copies instead of paper-based copies and upload their codified case studies responses in the ILIAS platform.

Following the NIJ request, a set of security (penetration) and performance tests of the NIJ's e-platform in line with OWASP (Open Web Application Security Project) v4 and OWASP TOP10-2017 (Ten Most Critical Web Application Security Risks) were conducted with Project's support. The main goal of testing was to assess the capacity of the NIJ's e-platform to ensure confidentiality and integrity of data processed, stored and transferred. The exercise performed by certified security professionals identified no major/critical vulnerabilities which might compromise the secure use of the NIJ's e-platform.<sup>9</sup>

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<sup>7</sup> See Annex 2 for more details.

<sup>8</sup> [With renovated premises, the National Institute of Justice pursues new approaches to judicial training of future judges and prosecutors | UNDP in Moldova](#)

<sup>9</sup> <https://www.inj.md/ro/platforma-de-instruire-la-distan%C8%9B%C4%83-ili-as-inj-%C3%AEn-conformitate-cu-cerin%C8%9Bele-standardelor>

The knowledge base of the NIJ was enriched with two new titles compiling templates of judicial acts in criminal matters for the instructive judges<sup>10</sup> (1,000 copies) and selected explanatory jurisprudence of the Supreme Court of Justice in civil matters<sup>11</sup> (500 copies) to support both the trainees and practitioners to better navigate and get a deeper understanding of the legal system and applicable practice. The books have been distributed to courts of law and prosecution offices across the country.

The Project has also looked into the current state and quality of judicial reasoning in Moldova. A team of one international consultant and one national consultant were contracted to perform an analysis of the state of judicial reasoning as employed by Moldovan judges. The study produced identifies major shortcomings of decisions of Moldovan courts, highlighting that judicial reasoning is frequently flawed, tending to describe the evidence instead of analysing it, abounding in legal provisions or statutes without a clear link to the ruling in the case, using a language that is often convoluted and hard to understand. At the same time, the report highlights the need for more focused training through the NIJ on legal writing/reasoning to equip the trainees with the necessary skills. The report contains the recommendations for improvement of the quality of judicial reasoning and gives the outline for the training course on legal reasoning to be designed and introduced at the NIJ for initial and continuous training of judges, prosecutors and other justice related professionals (e.g., court clerks/judicial assistants).

This activity is an important step in the process of improving the quality of judicial reasoning in Moldova. The study will serve as the baseline assessment on the legal reasoning of Moldovan judicial decisions and will also lay the basis for the design of various trainings and development of other measures aimed at improving the quality of judicial acts in Moldova and increasing the overall efficiency of Moldovan courts.

### **III. Conclusions and lessons learned**

The Project has been implemented in compliance with the Project Document and agreed priorities. Targeted assistance was provided to help the national stakeholders to strengthen institutional, technical and professional capacities, align internal business processes with the requirements of international standards, improve working environments and conditions, and put in place modern operation instruments and tools, which contributed to advancing the justice sector reform in the country for the benefit of men and women from the Republic of Moldova.

The Project operated in a complex context. Recurrent political instability in the country generated periods of institutional uncertainty and restructuring of partners the Project engaged with. The strong cooperation with the middle level managers, built by the Project, ensured institutional memory and a smooth transition to a new senior management set up.

Communication with Project donors was kept regularly, which allowed for quick and effective consideration of new ideas and additional proposals that appeared during the Project

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<sup>10</sup> [https://www.inj.md/sites/default/files/6164\\_MODELE\\_de\\_acte\\_judecatoresti\\_SITE.pdf](https://www.inj.md/sites/default/files/6164_MODELE_de_acte_judecatoresti_SITE.pdf)

<sup>11</sup> [https://www.inj.md/sites/default/files/HOTARARI\\_EXPLICATIVE\\_IN\\_MATERIE\\_CIVILA.pdf](https://www.inj.md/sites/default/files/HOTARARI_EXPLICATIVE_IN_MATERIE_CIVILA.pdf)

implementation. The high level of flexibility demonstrated both by the donors and beneficiary institutions contributed to the successful implementation of all agreed activities.

Strong national ownership, both over the process of Project implementation and the outputs produced, were equally important for the sustainability and continuity of the Project outputs. For instance, the senior management of National Centre of Judicial Expertise and the National Institute of Justice had the necessary positive and change-oriented attitude regarding the implementation of institutional transformations the Project has supported through its activities.

Considering the complexity of equipment and infrastructure interventions provided by the Project, a factor of success was a clear vision of the beneficiary on the expected deliverables and constant coordination and dialogue with the beneficiary to ensure the best value for money in line with the applicable UNDP rules and procedures. UNDP's flexible procurement arrangements (for instance, long-term agreements, justified direct contracting) offered access to top-notch and high-quality products. The support provided by the Project raised the level of delivered services and set the standard for further operation using modern equipment and tools.

The Project introduces new tools and concepts that were new for the institutional environment it operated in. For instance, there is a lack of sufficient understanding of the concepts of efficient legal reasoning by legal professionals, including the incumbent judges and their reluctance to recognize the existence of any major problems in this area, and prevalence of too formalistic approaches to legal reasoning. Therefore, extensive consultation and consensus among justice professionals is critical for improving the quality of judicial/legal reasoning. The National Institute of Justice can and should play a strategic role in this process.

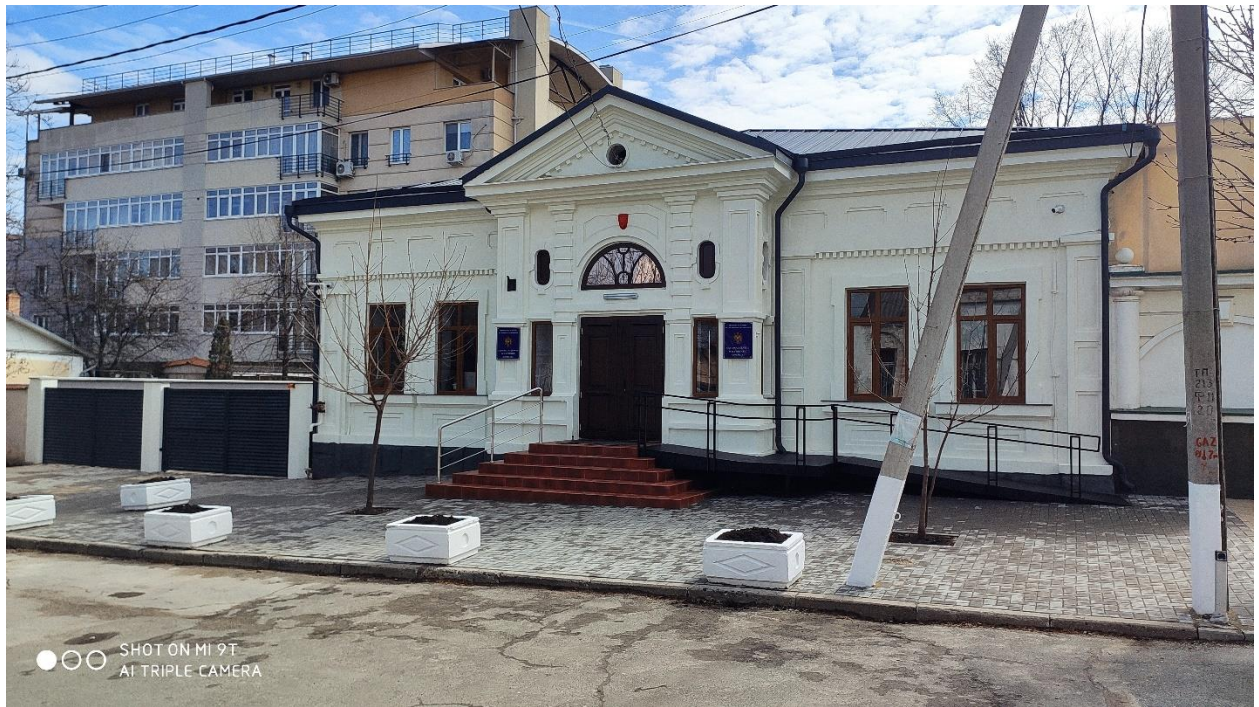
Project succeeded to produce valuable results with high level of impact. These results were communicated to the public to the extent possible via different communication channels. However, a more consistent and structured approach to capturing and communicating the Project results would have ensured a larger outreach and information on Project's interventions and results achieved.

#### IV. Financial Summary with provisional figures (2014-2021)

Fund	Project budget expenditures (USD)								Total Expenditures	Total Funds Received	Balance
	2014	2015	2016	2017	2018	2019	2020	2021			
<b>INL (11710)</b>					273,663.11	70,704.79			344,367.90	367,200.00	22,832.10
<b>USDoS (11207)</b>			22,210.26	85,775.39					107,985.65	108,000.00	14.35
<b>UNDP</b>	24,715.00	24,114.00	11,911.94				20,000.00	1,600.00	82,340.94	82,340.94	0.00
<b>Romania</b>	110,942.01	9,395.51							120,337.52	120,744.00	406.48
<b>Italy</b>		32,347.82	9,395.51	27,816.67	7,480.03	4,867.54			81,907.57	81,946.21	38.64
<b>Gen Prosecutor's Office</b>	115,010.70	50,100.24							165,110.94	<b>165,110.94</b>	0.00
<b>National Institute of Justice</b>				19,720.61	215,927.33				235,647.94	235,647.94	0.00
<b>National Centre Judicial Expertise</b>					94,540.96	105,397.01	305,530.26	110,265.87	615,734.10	615,735.46	1.36
<b>TOTAL</b>	<b>250,667.71</b>	<b>115,957.57</b>	<b>43,517.71</b>	<b>133,312.67</b>	<b>591,611.43</b>	<b>180,969.34</b>	<b>325,530.26</b>	<b>111,865.87</b>	<b>1,753,432.56</b>	<b>1,776,725.49</b>	



### Annex 1: Renovated NCJE building, photo gallery







## Annex 2. Inauguration of renovated NIJ building, photo gallery







