

ACTIVITY REPORT

2019

LRCM

LEGAL
RESOURCES CENTRE
FROM MOLDOVA

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About LRCM

Identity

The Legal Resources Centre from Moldova (LRCM) is a nonprofit organization that contributes to strengthening democracy and the rule of law in the Republic of Moldova with emphasis on justice and human rights. Our work includes research and advocacy. We are a politically independent and non-affiliated.

Vision

We live in a prosperous, democratic country where people are free and responsible, live in safety, enjoy equal opportunities, are protected by law, trust in justice, and are confident in their future.

Mission

The LRCM promotes an independent, efficient, and accountable judiciary, respect of human rights, and an enabling environment for civil society and democracy. For that end, we identify problems with systemic impact, bring them into the public agenda, propose solutions, react to abuses and mobilize partners for changes for the better.

Values

LRCM believes in democracy, the rule of law, human rights, and the values of open society.

Principles

The LRCM is guided by the following principles:

- Professionalism
- Integrity and transparency
- Respect for professional ethics
- Human rights approach
- Proactive and constructive attitude towards change for the better
- Collegial spirit and participatory approach to strategic decision making
- Gender balance
- Political non-affiliation

LRCM's team

Vladislav GRIBINCEA, Executive Director
Nadejda HRIPTIEVSCHI, Program Director
Sorina MACRINICI, Program Director
Cătălina BÎRSANU, Legal Officer
Ilie CHIRTOACĂ, Legal Officer
Daniel GOINIC, Legal Officer
Ion GUZUN, Legal Officer
Ecaterina POPȘOI, Legal Officer
Victoria VIRSCHI, Legal Officer
Olga BURUCENCO, Director of the Administrative Service (until April 2019)
Aurelia CELAC, Financial Manager and Accountant
Angela CARANFIL, Director of the Administrative Service (since May 2019)
Mihaela CIBOTARU, Communications Coordinator (since October 2019)
Natalia ȘEREMET, Web and Social Media Manager (until August 2019)
Nicoleta COJUHARI, Web and Social Media Manager (since October 2019)

LRCM's Board

Tatiana RĂDUCANU, Chairperson
Arcadie BARBĂROȘIE
Corina CEPOI
Peter-Vlad IANUȘEVICI (until July 3, 2019)
Elena PROHNIȚCHI
Victor URSU (since July 3, 2019)

LRCM's members

Raisa BOTEZATU
Andrei BRIGHIDIN
Vladislav GRIBINCEA
Ion GUZUN
Nadejda HRIPTIEVSCHI
Peter-Vlad IANUȘEVICI
Elena LEȘAN
Sorina MACRINICI
Cristina MARTIN
Veronica MIHAILOV-MORARU
Ana REVENCO
Nicolae ROȘCA
Corneliu RUSNAC
Octavian ȚÎCU

LRCM's donors

United States Agency for International Development (USAID)
Swedish International Development Cooperation Agency (SIDA)
United States Embassy to Moldova
Embassy of Netherlands to Bucharest

MESSAGE OF THE EXECUTIVE DIRECTOR



The activity of the Legal Resources Centre from Moldova (LRCM) in 2019 can be conventionally divided into two parts—before and after the change of the oligarchic regime in the Republic of Moldova. Before June 2019, our official cooperation with the executive and the judiciary was marked by authorities' resistance. Even more so, we regularly faced attacks from the press affiliated to the government and even from officials. We also strongly suspected that law enforcement agencies were surveilling our work. After the investiture of the SANDU Government in June 2019 and the change of leadership at the Superior Council of Magistracy, the LRCM's cooperation with authorities became much easier. After the dismissal of the SANDU Government in November 2019 and until the end of that year, our cooperation with authorities followed the same course, but with decreasing intensity.

As for the judiciary, we advocated amending the Constitution, to offer more independence to judges, as well as reforming the Supreme Court of Justice to set the prerequisites for a change for the better in the justice sector. We also opposed the clearly illicit initiative concerning the revocation of the Superior Council of Magistracy in autumn 2019. In early 2019, we published the results of the survey conducted among lawyers on the operation of justice. Also, in early 2019, the International Commission of Jurists released a report on the independence of judges in Moldova prepared on request from the LRCM. To facilitate justice policies, we compared the justice system of Moldova with that of other member states of the Council of Europe, focusing on efficiency, financing and personnel. In July 2019, we organized the first Justice Reform and Anticorruption Forum in cooperation with the Government.

The LRCM continued its activities aimed at providing human rights outreach and training and strengthening civil society in the Republic of Moldova. We have informed the Council of Europe, the European Union, and other development partners about human rights situation in the country. We also came out with public reactions to the worsening of democracy in July 2019. We requested authorities—without much success—to facilitate voting for Moldovans residing abroad in the February 2019 parliamentary election. To increase democratic education among young people, the LRCM offered public lectures at universities and schools and organized two democracy schools.

Because of their criticism of questionable policies promoted by authorities until June 2019, many civil society organizations (CSOs) came under the government's harsh attacks meant to discredit and split CSOs. In 2019, a journalistic investigation found that my telephone conversations had been wiretapped for many months, but contrary to the law, I had never been informed about this tapping. Along with other organizations, the LRCM published a document about attacks on civil society to alert about this issue and to deter such practices in the future. 2019 was the third year of the implementation of the percentage designation mechanism (2% Law). In 2019, we kept promoting it among both CSOs and religious entities. We also analyzed the impact of this mechanism in 2017 and 2018.

Using this opportunity, on behalf of the LRCM team, I would like to express gratitude and thank all the partners, supporters and donors of the LRCM for good collaboration and support of our activities, as well as promotion of common goals. I am also deeply grateful to members of LRCM Board, Association members and the LRCM team for commitment and engagement.

Vladislav GRIBINCEA

Executive Director, Legal Resources Centre from Moldova

A stylized, handwritten signature in blue ink, appearing to read 'V. Gribincea'. The signature is fluid and cursive, with some loops and flourishes.

Independence, impartiality and accountability of the judiciary

In January 2019, the LRCM published the results of the [survey conducted among lawyers](#) on the independence, efficiency, and accountability of the judiciary in the Republic of Moldova.



Approximately half of lawyers think that the justice reform efforts over the past years have had a positive impact on the judiciary, but do not think that the quality of justice has improved from 2011.



73% of lawyers say that corruption in Moldova is abundant, and 69% - that corruption in the justice sector remains at the level of 2011 or even higher.



81% of lawyers do not think that judges in the Republic of Moldova are independent.



64% of lawyers think that court judgments in Moldova are not fair and are prone to influences from outside.

In January 2019, the [International Commission of Jurists \(ICJ\)](#) published a [report on the independence of the judiciary in the Republic of Moldova](#). The LRCM assisted the ICJ in preparing this report. According to the report, the Republic of Moldova lagged way behind on ensuring an independent judiciary, while judicial system reforms were trailing. This was often due to lack of political will. The report also stated that the judiciary had a strong culture of hierarchy and needed a change in judges' mentality and work culture.

The presentation of the ICJ's report on the independence of the judiciary in the Republic of Moldova on 13 March 2019



Following illegalities committed in June 2019, many non-governmental organizations, including the LRCM, [requested the annulment of the Constitutional Court's decisions](#) and the in corpore resignation of the Constitutional Court judges. As a result, they all resigned. The LRCM monitored the selection of the Constitutional Court judges. [We requested the Superior Council of Magistracy](#) to select two judges for the Constitutional Court from among upright and competent persons through a transparent process. Later, together with other civil society organizations, we expressed concerns about the [non-transparent way Parliament had appointed two judges to the Constitutional Court](#). This was a disregard of the independence of this institution and further undermined public confidence in the Constitutional Court.

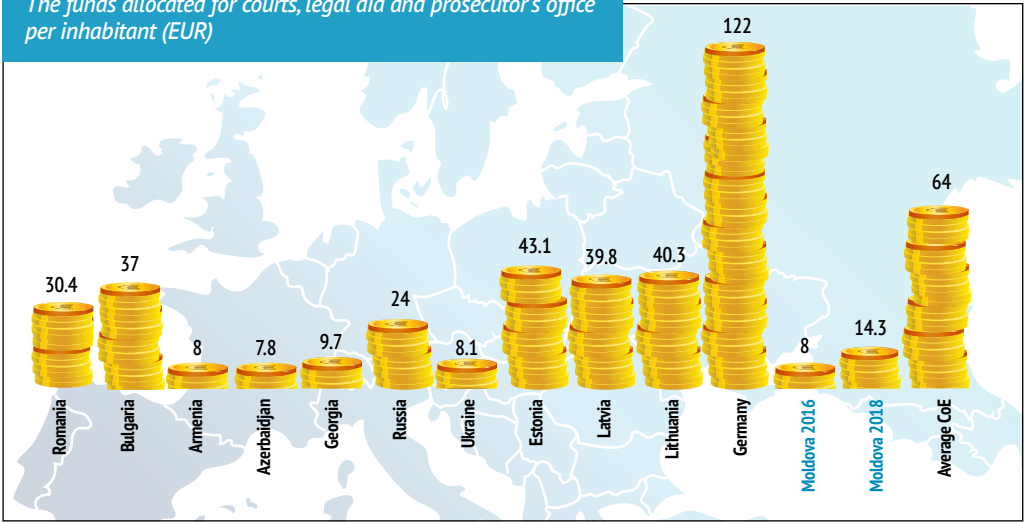
In July 2019, the LRCM partnered with the Moldovan government to organize the [Justice and Anticorruption Reforms Forum](#)—an important platform where authorities, justice sector actors, civil society, foreign experts, and development partners of the Republic of Moldova can discuss the priorities of the justice reform and anticorruption efforts.

The Justice and Anticorruption Reforms Forum of 23 July 2019



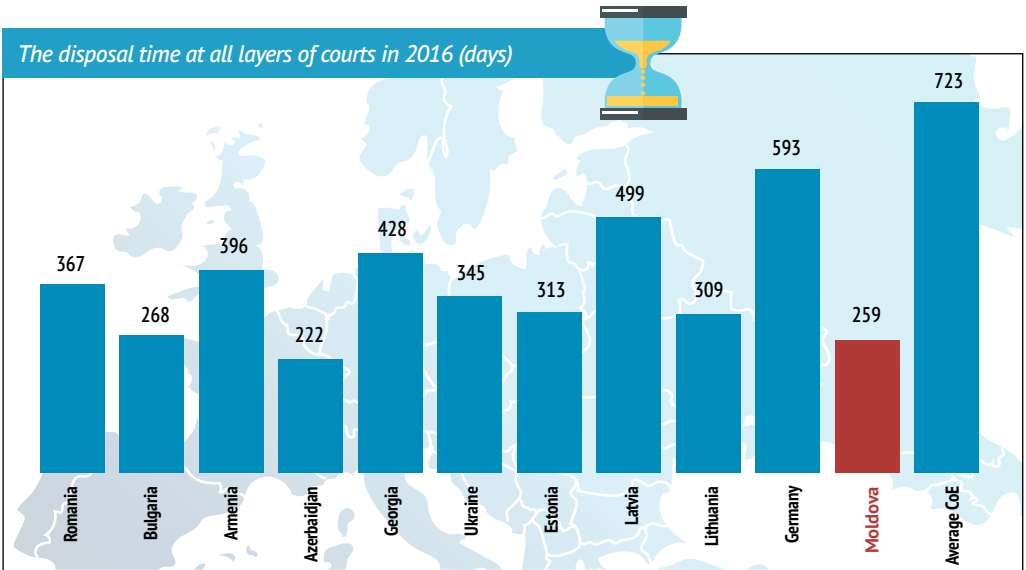
In October 2019, the LRCM released the analysis [Moldovan Justice in Figures—a Comparative Perspective](#), which compared justice in the Republic of Moldova with that in other countries. The analysis showed that, despite the twofold increase of the justice budget in the past years, the per capita allocation for justice system was still 3.5 times smaller than the Council of Europe average.

The funds allocated for courts, legal aid and prosecutor's office per inhabitant (EUR)

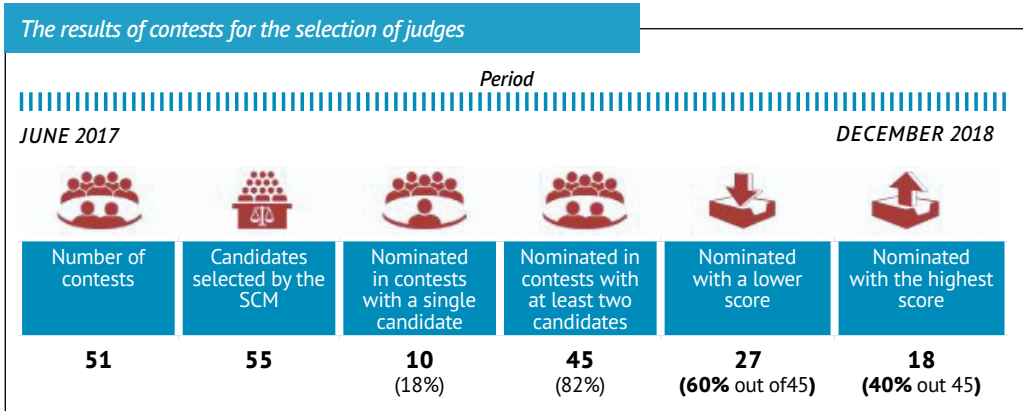


In comparison to European countries, the Republic of Moldova has fewer per capita judges and lawyers and more prosecutors. On the other hand, the number of cases filed in courts is smaller than the Council of Europe average (CoE). The examination of cases is almost three times faster in Moldova than in the CoE member states, which has a negative impact on the quality of justice.

The disposal time at all layers of courts in 2016 (days)



In December 2019, the LRCM published a [policy document about the selection and promotion of judges](#) in 2017 and 2018. The analysis showed that many competitions for key judicial positions had only one candidate, which raised doubts about the independence of judges. On the other hand, many competitions ended without a winner, while in more than half of them, candidates with lower scores were promoted, without any plausible explanation.



An important part of our efforts in 2019 was dedicated to improving the legal framework concerning judiciary. The LRCM advocated for the [amendment of the Constitution](#) to ensure more independence for judges and the [repeal of Article 307 of the Criminal Code](#), which prosecutors used to intimidate judges. After the change of government in June 2019, the LRCM was consulted about the initiatives concerning the external evaluation of judges and prosecutors and the reform of the Supreme Court of Justice, which were abandoned after the dismissal of the SANDU Government in November 2019. In autumn 2019, we opposed the initiative of some circles from the judiciary concerning the revocation of the Superior Council of Magistracy, which otherwise would have blocked the main reforms that were about to start.

Combating corruption

In January 2019, the LRCM published a [position paper](#) about the need to limit the Anticorruption Prosecution Office's powers exclusively to the investigation of high-level corruption. Without fighting high-level corruption, it is impossible to reduce the endemic level of corruption in the country. The agency's effort wasted on petty corruption cases—which take more than half of the Anticorruption Prosecution Office's capacity—makes it impossible to focus on high-level corruption. In the course of the year, the LRCM organized [two meetings](#) for representatives of the National Integrity Authority of Moldova and the National Integrity Agency of Romania to facilitate the exchange of experience concerning the verification of the property and conflicts of interests of public officials. We also organized a [study visit to Romania](#) with the same purpose.

The study visit of representatives of the National Integrity Authority of the Republic of Moldova to Romania on 15 – 17 May 2019



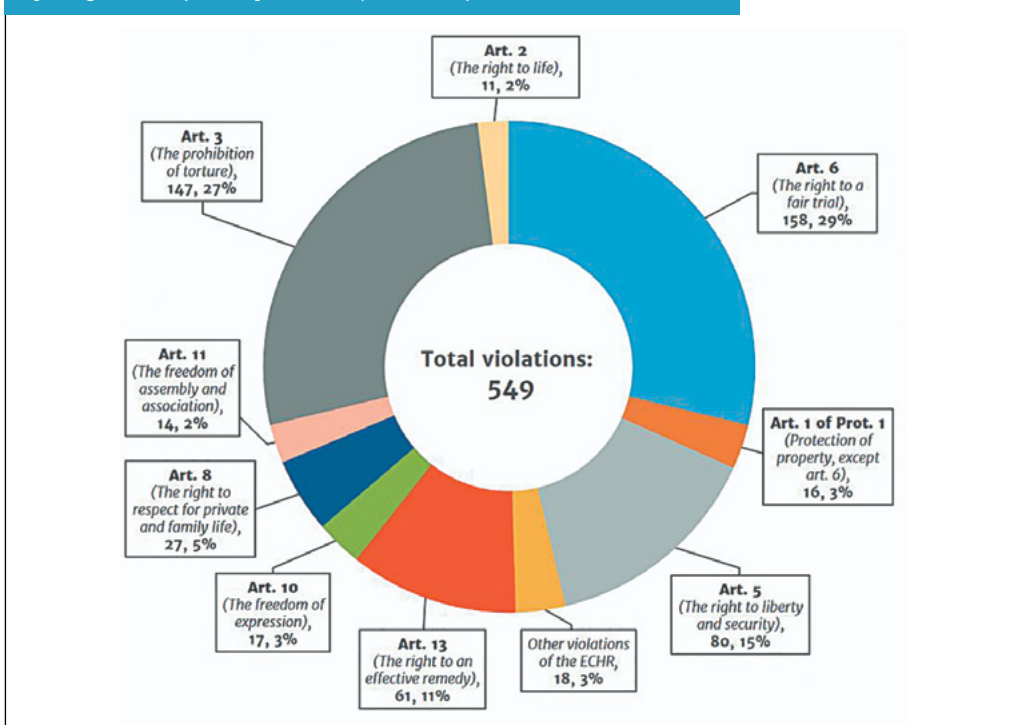
Respect of human rights

Following our tradition, in the beginning of the year, we published the [analysis of the situation of the Republic of Moldova at the European Court of Human Rights \(ECtHR\)](#). In 2018, Moldova remained at the top end of the ranking by the number of per capita filed applications in relation to national population, being ranked the 5th out of 47 member states of the Council of Europe. From 1997 through 31 December 2018, the ECtHR registered over 14,200 applications against Moldova and issued 420 judgments on Moldovan cases.

In most cases, Moldova was condemned for the failure to enforce judgments, ill treatment, the improper investigation of ill treatment and deaths, poor detention conditions, arbitrary detention and the unlawful quashing of final court judgments. Under the ECtHR judgments issued until 31 December 2018, the Republic of Moldova was obliged to pay over EUR 16,600,000 in damages.

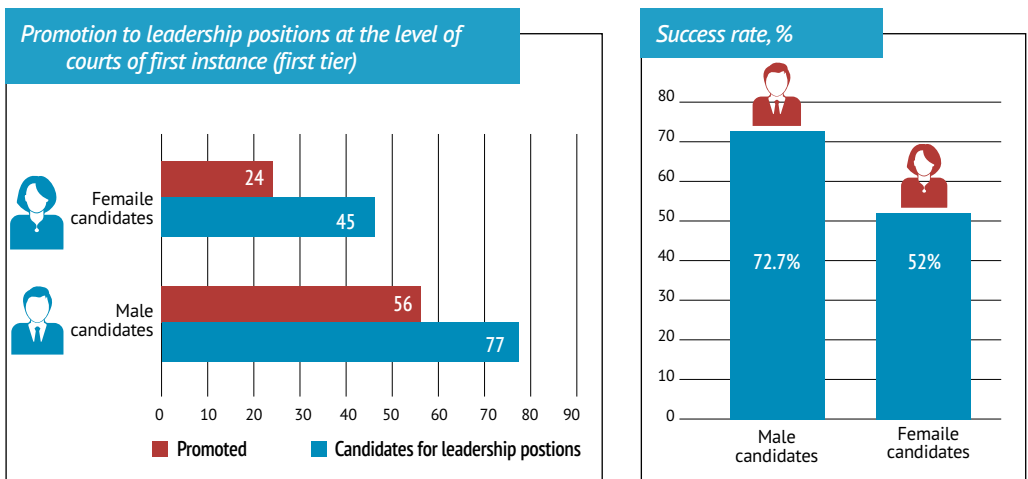
In January 2019, [in the case Mătăsar v. Moldova](#), the ECtHR found that the prison sentence—even with suspended enforcement—for an extravagant protest in front of the Prosecutor General's Office was not justified. The Strasbourg Court noted as a matter of principle that such punishment had a deterring effect both on the applicant and on other persons who might want to protest the abuses of state. Mr. Mătăsar was represented in the Court by the lawyers of the LRCM.

Violations found by the European Court of Human Rights in judgments referring to the Republic of Moldova (1997-2018)



In April 2019, the LRCM submitted to the Committee of Ministers of the Council of Europe a [communication](#) about the application of arrest in the Republic of Moldova. The communication mentioned that the high rate of arrests and the insufficient reasoning of arrest warrants remained a serious issue in Moldova. The causes of this phenomenon include a deficient judicial practice, judges' lack of independence, and the pro-accusation attitude of many investigating judges.

In October 2019, the LRCM published a report on the [gender dimension in the justice sector of the Republic of Moldova](#). According to the analysis, the prejudices and stereotypes about women's role in the family and society carry over into the judiciary. Despite the ever-increasing number of women entering judgeship, their chances to get promotion to administrative positions are smaller than men's. This is confirmed by the small share of women in leading positions in the courts.



The LRCM and other non-governmental organizations [requested the Moldovan Parliament and government](#) to abide by, and to implement, the country's international commitments concerning the prevention of torture and support for victims of torture. The LRCM found that [authorities failed to efficiently investigate](#) and punish individuals guilty of the illegalities committed in April 2009 and offered to continue assistance in fulfilling the commitments taken in this respect.

In 2019, the LRCM continued providing training on democracy and human rights. Thus, it organized [trainings for lawyers and trainee lawyers](#) about the European Convention on Human Rights and [two editions](#) of the [Applied Democracy School](#) for students and recent graduates interested in promoting democracy. Also in 2019, the LRCM continued the screening of the documentary [Looking into the Soul—the Profession of a Judge](#) for the students of main university centers.

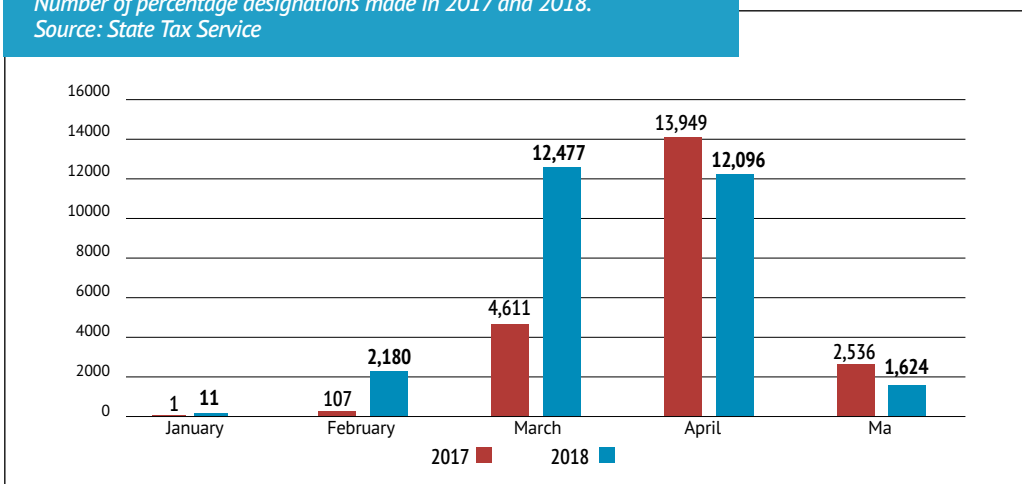
Promoting democracy and an enabling environment for civil society

As a member of the Civic Coalition for Free and Fair Elections, the LRCM took a proactive approach towards the organization of the February 2019 parliamentary elections. The Coalition requested the Central Election Commission to allow [Moldovans residing abroad to vote with expired identification documents](#), but it did not succeed. We also supported election observers and [requested to have those who precluded their work held liable](#). After that, the LRCM along with other nonprofit organizations informed development partners about the [rapid worsening of the democracy in Moldova](#).

As advocate promotor for the percentage designation, in 2019, the LRCM continued monitoring [legal developments](#) in this field. We also [analyzed the implementation of the 2% mechanism](#) from 2017 through 2019.



Number of percentage designations made in 2017 and 2018.
Source: State Tax Service



The LRCM organized several [trainings](#) to promote the two percentage mechanism among nonprofit organizations and religious entities. To support NGOs' efforts to increase visibility, the LRCM drafted a [visibility toolkit](#) and a [guideline on social networks for NGOs](#).

The 2% designation mechanism training from 18 September 2019



In 2019, the LRCM monitored the authorities' compliance with provisions concerning the transparency of decision-making. The LRCM expressed concerns that [the public might not be able to analyze the activity of the prosecution office](#) following the abolishment of mandatory hearings on these reports in parliamentary plenum. Further, the LRCM, along with other 11 NGOs, condemned the [outright violation of the law](#) concerning the transparency of decision-making when the government approved the public procurement system MTender.

In 2019, the LRCM continued monitoring the attacks against civil society organizations and presenting its findings in the [Radiography of Attacks against Non-Governmental Organizations](#). We found that attacks focused on independent CSOs, especially those that voiced criticism about authorities. The attacks usually occurred after NGOs published documents or expressed critical findings. The purpose of the attacks was to damage NGOs' image and work environment and to silence them. This was confirmed when, after the June 2019 change of government in Chișinău, many portals that used to attack NGOs became suddenly inactive. The purpose of this analysis is to point out to these attacks and to discourage them.

The LRCM was among the signatories of the [public call on the new government](#) to ensure an efficient implementation of the Civil Society Development Strategy for 2018 – 2020, to increase transparency in the decision-making process, to pass the draft law on nonprofits in the final reading, and to investigate attacks on civil society organizations objectively.

2019

The LRCM in Figures

The LRCM in figures

REPORTS AND OTHER
PUBLICATIONS

10

2018
14



MEDIA
APPEARANCES

685

2018
394



Events hosted by the LRCM

WORKSHOPS AND
PUBLIC LECTURES

14

(469 participants)

2018
13

(over
380 participants)



MOVIE SCREENINGS

10

(348 participants)

2018
11

(approximately
300 participants)



OTHER PUBLIC
EVENTS

16

(418 participants)

2018
12

(over
320 participants)



The LRCM on social media

Facebook / LIKES



6,724
5,845 / 2018

Twitter / FOLLOWERS



280
256 / 2018

Subscribers to the LRCM news



1,247
1,200 / 2018

Financing sources

Inflows:
US Agency for International Development USAID - Grant Agreement No AID-117-A-1600003 (USAID RoL)
U.S. Department of State – Grant Agreement No S-INLEC-17-GR-0059 (INL)
Swedish International Development Cooperation Agency - Grant Agreement No 12136 (SIDA CORE)
Embassy of the Netherlands, Agreement BKR-18-MATRA-02 \ (MATRA-IS)
Percentage designation 2%
LRCM own funds
Inflows USD
Inflows EUR
Inflows MDL
Total inflows, MDL equivalent

Currency	Year 2019		Cumulative as of 31 December 2019 per project		Budget Cumulative per project
	MDL	USD/EUR	MDL	USD/EUR	
USD	5,534,585	315,969	14,988,615	918,933	1,200,000
USD	173,551	9,701	4,431,628	249,981	249,981
USD	2,633,224	150,196	4,367,672	251,858	625,000
EUR	978,168	48,587	1,850,548	93,305	103,671
MDL	8,194	-	-	-	-
MDL	180,406	-	-	-	-
	8,341,359	475,866			
	978,168	48,587			
	188,599				
	9,508,126				

NOTE:

Total funds (collected) in 2019 the equivalent of **USD 541,000**.**Total outflows in 2019** (payments) the equivalent of **USD 499,563**.

Balance sheet of the LRCM (MDL)

As of 31 December 2019

		BALANCE AT	
		Beginning of the reporting period	End of the reporting period
ASSETS			
Non-current assets			
Intangible fixed assets	010	18,065	3,895
Tangible assets in progress	020		
Land	030		
Property, plant and equipment	040	350,545	254,078
Long-term financial investments	050		
	060		
	070	368,610	257,973
Current assets			
Materials	080		
Low-value and short-term assets	090	46,517	64,079
Production in progress and products	100		
Trade receivables and advance payments	110	491	3,135
Accounts receivable on settlements with the state budget	120		
Accounts receivable with employees	130		
Other current receivables, of which	140		
Receivables related to earmarked funds	141	914,004	130,613
Cash	150	1,491,420	2,594,041
Current financial investments	160	1,325,767	904,423
	170		
	180	3,778,199	3,696,291
	190	4,146,809	3,954,264

EQUITY AND LIABILITIES

BALANCE AT

Equity		Line	Beginning of the reporting period	End of the reporting period
Prior period adjustments		200	X	
Net surplus (net deficit) of the reporting period		210	X	-
Initial contributions of the founders		220		
Non-current assets fund		230	368,610	257,973
Own funds		240	1,326,309	1,499,641
	OTHER FUNDS	250		
	TOTAL EQUITY	260	1,694,919	1,757,614
Long-term liabilities				
Long-term earmarked funding and receipts		270		
Long-term financial liabilities		280		-
	OTHER LONG-TERM LIABILITIES	290		
	TOTAL LONG-TERM LIABILITIES	300		
Current liabilities				
Current earmarked funding and receipts		310	1,935,220	1,983,983
Current financial liabilities		320		
Trade payables and advance payments received		330	6,909	2,349
Payables to employees		340		
Social and health insurance payables		350		
Payables to state budget		360		
Deferred revenue		370	55,190	79,705
	OTHER CURRENT LIABILITIES	380	454,571	130,613
	TOTAL CURRENT LIABILITIES	390	2,451,890	2,196,650
	TOTAL EQUITY AND LIABILITIES	400	4,146,809	3,954,264

Income and expenditures statement

01 January to 31 December 2019

Indicators	Line	Reporting period	
		prior	current
Revenue related to earmarked funds	010	7,787,062	7,875,567
Expenditure related to earmarked funds	020	7,771,911	7,875,567
Surplus (deficit) related to earmarked funds	030	15,151	
Other income (excluding income from economic activity)	040	-	3,848
Other expenditure (excluding expenditure on economic activity)	050	-	3,848
Surplus (deficit) related to other activities	060	-	-
Income from economic activity	070	124,077	-
Expenditure on economic activity	080	94,592	-
Result: profit (loss) out of economic activity	090	29,485	-
Income tax expenditure	100	-	-
Net surplus (net deficit) of the reporting	110	44,636	

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