

OUTPUT 1.6 - Prevention plans implemented and internal controls reinforced within the judiciary, prosecution, police, CCCEC and other bodies at risk

Based on a model that proved to be effective in a new EU state – Slovenia, Council of Europe experts (LaLance - Consulting Company) designed a methodology for training high ranking officials on how to conduct risk assessment and develop integrity plans in the Republic of Moldova. A pilot project was initiated in 2006 to test the adaptability to Moldova of the methodology. Twelve high ranking officials representing Superior Council of Magistracy, Supreme Court of Justice, National Institute for Justice and Constitutional Court, as well as a representative of the CCCEC attended a three-week seminar courses (one week each) on risk assessment methodology between January and May 2007. The evaluation of the training course by the participants demonstrates an important progress reached in comparison with a similar exercise undertaken under PACO Moldova Project in 2005.

As main outcome of the training on risk assessment, the Superior Council of Magistrates (SCM) developed in May 2007 the first integrity plan related to the criminal panel of the Supreme Court of Justice. Based on this first step, SCM took the initiative to adopt the risk assessment methodology and ensure its implementation on national level. A decision in this regard was adopted by the Council in September 2007 and the implementation phase – in all 51 courts from Republic of Moldova - started in November 2007. The first implementation activities were 4 introductory trainings for up to 250 judges, organised with Council of Europe expert support. The preliminary results are expected in the first half of 2008.

In June 2007, the graduates of the Pilot project on risk assessment for judiciary attended a study visit to Slovenia, Ljubljana. The visit enabled the participants to interact and exchange experiences with representatives of Slovenian institutions that carry out, periodically, risk assessments.

Following the review of the 6 months progress report on implementation of the Anticorruption Strategy, the Government adopted in August 2007 a decision to improve the level of implementation of the National Anticorruption Strategy and Action Plan for 2007 – 2009. Governmental Decision tasked the CCCEC to develop, in three-month time, a Methodology for conducting risk assessment in public institutions. The CCCEC experts drafted a Methodology for conducting risk assessment for public institutions of the Republic of Moldova based on the training materials provided in the framework of the pilot project for judiciary. The public institutions concerned by the risk assessment process provide their opinion on the methodology to the CCCEC before submission to the Government of the last version for approval. The Council of Europe expert opinion on this draft will be provided in January 2008 by the chairman of the GRECO committee.

In October 2007, a second round of trainings was started for high level officials from the law enforcement agencies (CCCEC, prosecution office, Ministry of Internal Affairs, customs service and border guards) and justice sector institutions (Ministry of Justice, Judicial execution Department, Penitentiaries, Centre for judicial expertises). Although initially the Council of Europe request for designating high level officials for these trainings was received with reserves by several law enforcement agencies, the situation improved and currently the training process is carried out in good conditions.

The implementation of the risk assessment methodology remained a top priority for the MOLICO project, substantial resources being allocated for supporting the dissemination of this practice in the Republic of Moldova.

In January 2008, the second round of national trainers in risk assessment were certified by MOLICO experts following the third series of back-to-back seminars on risk assessment for high level officials from law enforcement agencies and justice sector institutions. Among the graduates of the training we can mention high ranking officials such as the Deputy General Prosecutor, Deputy Director of CCCEC, Deputy Minister of Internal Affairs, and Deputy Director of Customs Service. A high-level one-day event was organised in February 2008, aiming to ensure the reinforcement of the commitment from the top management of beneficiary institutions for the implementation of the risk assessment methodology. The event was organised in co-operation with the National Anti-corruption Monitoring Group and benefited from high-level participation from all the involved institutions: Chairman of the Monitoring Group, Minister of Justice, Director of CCCEC, President of the Supreme Council of Magistrates, Deputy General Prosecutor, Deputy Minister of Interior, Deputy Director of Customs, Deputy Director of Border Guards.

Between February and June 2008, three out of four implementation phases were completed for 51 courts and the National Institute of Justice. This included three rounds of sessions for 51 courts, represented in four working groups by presidents and vice-presidents, as well as a working group of the National Institute for Justice. Although initially received with reservation and resistance, all workgroup sessions were concluded positively in all five locations. All participating institutions received extensive homework for the phase two and three of the program. Activities were carried out with important and positive developments. During working group meetings, all project leaders provided updated reports on the status of implementation of tasks established after phase one. All courts and the National Institute of Justice undertook the following measures:

- ✓ formal endorsement of the integrity plan by each president of court and Director of the INJ;
- ✓ appointment of the members of implementation teams in each institution;
- ✓ informing the employees about the initiation of the risk assessment;
- ✓ collection of relevant legislation and incorporation within the provided template;
- ✓ preparation of organisation charts and job descriptions;
- ✓ analysis of vulnerable job positions and work processes, including the level of risk.

Furthermore, an important part of the phase three included the dissemination of the integrity questionnaire at national level, for all employees. Currently the results and analyses of the conducted evaluations are submitted to the MOLICO project and Superior Council of Magistrates. The last phase is envisaged to take place in October 2008. The final report is expected to be available, as well as the integrity plans, in mid-November 2008.

The MOLICO project also supported the process of developing the national methodology for conducting risk assessment within central public authorities. Two expert opinions were provided by CoE experts on the risk assessment methodology developed by CCCEC. The document is expected to be adopted by the Government within the next weeks. Following the adoption of this Governmental Decision, the MOLICO project will further provide assistance to CCCEC by training its staff. Following the implementation of this training module, CCCEC staff will be capable to replicate the training in all central public authorities.

- 12 high ranking officials representing the Superior Council of Magistracy, the Supreme Court of Justice, the National Judicial Institute and the Constitutional Court, as well as a representative of the CCCEC attended a three seminar courses (one week each) on risk assessment methodology (15-18 January, 2-5 April and 7-11 May 2007);
- The Superior Council of Magistrates adopted a decision to conduct risk assessment in all courts in the Republic of Moldova. (20 September 2007). The implementation phase of conduction risk assessment at national level started in November 2007 with a series of 4 introductive trainings for judges: CAHUL - 20 November 2007 (30 judges attended), CHISINAU – 21 November 2007 (105 judges attended), CAUSENI 22 – 22 November 2007 (25 judges attended), BALTI - 23 November 2007 (90 judges attended);

- The graduates of the Pilot project on risk assessment for judiciary attended a study visit in Slovenia, Ljubljana (11 – 15 June 2007);
Between 8 – 13 October 2007, the assessment visit of the Council of Europe expert took place to launch the second round of trainings for high level officials from law enforcement agencies (CCCEC, prosecution office, Ministry of Internal Affairs, customs service and border guards) and justice sector institutions (Ministry of Justice, Judicial execution Department, Penitentiaries, Centre for judicial expertises). 5 – 10 November and 3 – 8 December 2007, first two trainings on risk assessment were held for high level officials from law enforcement agencies and justice sector institutions.
- The third round of back-to-back training sessions for high level officials from law enforcement agencies and justice sector institutions was organised in January. The training sessions were completed by representatives of CCCEC, prosecution office, Ministry of Internal Affairs, customs service and border guards, Ministry of Justice, Judicial Execution Department, Penitentiaries, Centre for Judicial Expertises;
- Press conference related to the concluding event of the train the trainers course was held in February;
Three phases were completed in implementing the risk assessment methodology within 51 Moldovan courts and the National Institute for Justice (February, March, June).