

TOWARDS AN EFFICIENT JUDICIARY IN MOLDOVA: LESSONS FROM EU REFORM INITIATIVES

Ludmila GONCEARENCO^{a*}

^{a)} Academy of Economic Studies of Moldova, Chişinău, Republic of Moldova

Please cite this article as:

Goncearenco, L., 2024. Towards an efficient judiciary in Moldova: Lessons from EU reform initiatives. *Review of Economic Studies and Research Virgil Madgearu*, 17(1), pp.109-126. doi: 10.24193/RVM.2024.17.110.

Article History:

Received: 15 March 2024

Accepted: 24 April 2024

Abstract: This study explores the multifaceted challenges impeding the functionality of Moldova's judicial system, emphasizing the necessity of comprehensive reform measures. By conducting a qualitative analysis of European Union judicial reforms, this research aims to identify effective strategies that could be adapted to the Moldovan context. Key areas of focus include the development of sustainable financing models, enhancement of training programs for judicial professionals, and the integration of digital technologies into judicial processes. The paper proposes a set of reforms tailored to Moldova's unique socio-economic and cultural landscape, with the goal of improving judicial efficiency, transparency, and adaptability. Through this analysis, the paper contributes to the broader discourse on judicial reform in transitional countries, offering insights into the potential for systemic improvements within Moldova's judiciary.

Key words: judicial reform; digitalization; professional training; financing strategies, Moldova

JEL Classification: K40; H11; O33; P48; H83

* Corresponding author. E-mail address: ludmilagoncearenco@gmail.com.

References:

1. Bagaric, M., Svilar, J., Bull, M., Hunter, D. and Stobbs, N., 2022. The Solution to the Pervasive Bias and Discrimination in the Criminal Justice: Transparent Artificial Intelligence. *American Criminal Law Review*, 59(1). Available at: <<https://ssrn.com/abstract=3795911>>.
2. Batalli, M. and Pepaj, I., 2018. Increasing efficiency in public administration through a better system of administrative justice. *Pécs Journal of International and European Law*, II, pp.54-65.
3. CEPEJ, 2022. European judicial systems CEPEJ evaluation report. Available at: <https://www.just.ro/wp-content/uploads/2023/01/PART-2-ENG-CEPEJ-fiche-pays-2020-22_E_WEB.pdf>.
4. Council of Europe, 2017. *Justice sector reform strategy of the republic of moldova. Review of implementation. Assessment and recommendations.* Council of Europe. Available at: <https://crjm.org/wp-content/uploads/2018/02/Moldova-JSRS_assessment.pdf> [Accessed 6 March 2024].
5. Council of Europe, 2023. *Support to the justice reform in the Republic of Moldova* [online]. Chisinau: Council of Europe. Available at: <https://www.coe.int/en/web/chisinau/support-to-the-justice-reform-in-the-republic-of-moldova?p_l_back_url=%2fen%2fgroup%2fchisinau%2f%7e%2fcontrol_panel%2fmanage%3fp_p_id%3dcom_liferay_layout_admin_web_portlet_grouppagesportlet%26p_p_lifecycle%3do%26p_p_state%3dmaximized%26p_p_mode%3dview%26_com_liferay_layout_admin_web_portlet_grouppagesportlet_tabs1%3dpages%26_com_liferay_layout_admin_web_portlet_grouppagesportlet_privatelayout%3dfalse%26_com_liferay_layout_admin_web_portlet_grouppagesportlet_displaystyle%3dmiller-columns%26p_r_p_selplid%3d16824595%26p_r_p_layoutsetbranchid%3do%26p_p_auth%3dkr4wm3kj> [Accessed 6 April 2024].
6. Craig, P., Adam, S., Diaz Abad, N., Salazar, L.,. 2022. *Rule of law in Europe. Perspectives from practitioners and academics* [online]. European judicial training network. Available at: <https://ejtn.eu/wp-content/uploads/2022/12/2019-056-rol-manual-170x240-web_final.pdf> [Accessed 7 April 2024].

7. De Weers, T., 2016. Case Flow Management Net-Project – The Practical Value for Civil Justice in the Netherlands. *International Journal for Court Administration*, 8(1), pp.32-42. <https://doi.org/10.18352/ijca.216>.
8. Donoghue, J., 2017. The rise of digital justice: courtroom technology, public participation and access to justice. *The Modern Law Review*, 80(6), pp.995-1025.
9. E-estonia, 2020. *E-justice factsheet* [online]. E-estonia. [Accessed 7 April 2024].
10. European Commission, 2020. *Ensuring justice in the EU – a European judicial training strategy for 2021-2024*. European Commission.
11. European Commission, 2023. Republic of Moldova 2023 Report. Brussels: European Commission.
12. European Parliament, 2021. Regulation (EU) 2021/694 of the European Parliament and of the Council of 29 April 2021 establishing the Digital Europe Programme and repealing Decision (EU) 2015/2240 [online]. Available at: <<https://eur-lex.europa.eu/eli/reg/2021/694/oj>> [Accessed 29 March 2024].
13. European Union, 2024. *EU funding programmes* [online]. European Union. Available at: <https://commission.europa.eu/funding-tenders/find-funding/eu-funding-programmes_en> [Accessed 6 April 2024].
14. Goncarenco, L., 2023. Financing the justice sector in developing countries: innovative strategies and opportunities for improvement. In: *Strategii și politici de management în economia contemporană*, Chișinău : SEP ASEM, 2023, pp. 291-299. <https://doi.org/10.53486/icspm2023.43>.
15. Lupo, G. and Bailey, J., 2014. Designing and Implementing e-Justice Systems: Some Lessons Learned from EU and Canadian Examples. *Laws*, 3(2), pp.353-387. <https://doi.org/10.3390/laws3020353>.
16. Mania, K., 2015. Online dispute resolution: The future of justice. *International Comparative Jurisprudence*, 1(1), pp.76-86. <https://doi.org/10.1016/j.icj.2015.10.006>.
17. Marta, C. G. and Gentile, G., 2023. *Algorithms, Rule of Law, and the Future of Justice: Implications in the Estonian Justice System*. EUI, STG, Policy Brief, 2023/27. Available at: <<https://ssrn.com/abstract=4618760>>.

18. Ministry of Justice of the Republic of Moldova, 2024. The digitalization process of the justice sector - a priority of the Ministry of Justice, supported by development partners. Chisinau: Ministry of Justice of the Republic of Moldova.
19. Novaković, Marko (2022) A review of the efficiency of justice and other elements of the 2022 – 2025 CEPEJ action plan: “Digitalisation for a better justice”. In: Digitalizacija u kaznenom pravu i pravosuđu = Digitalization in Penal Law and Judiciary. Institut za uporedno pravo; Institut za kriminološka i sociološka istraživanja, Beograd, pp. 201-213.
20. Sen, A., 2006. What is the role of legal and judicial reform in the development process? In: A. Palacio (ed.), *The World Bank Legal Review, volume 2: Law, Equity and Development*.
21. Susanto, M. I. and Supriyatna, W., 2020. Creating an Efficient Justice System with E-Court System in State Court and Religious Court of Rights. *International Journal of Arts and Social Science*, 3(3), pp.354-361.
22. Themeli, E. 2022. The frontiers of digital justice in Europe. In: X. Kramer, J. Hoevenaars, B. Kas, and E. Themeli, *Frontiers in Civil Justice*, pp.102-120. Edward Elgar Publishing.
23. Velicogna, M., Steigenga, E., Taal, S. and Schmidt, A., 2020. Connecting EU Jurisdictions: Exploring How to Open Justice Across Member States Through ICT. *Social science computer review*, 38(3), pp.274-294. <https://doi.org/10.1177/0894439318786949>.
24. Wallace, H., Pollack, M. A., Roederer-Rynning, C. and Young, A. R., 2020. *Policy-making in the European Union*. USA: Oxford University Press.