



Strengthening Rule of Law Institutions in Moldova: The Constitutional Court and the Ombudsman Service

Objectives

The goal of this project is to help reform two of the most important institutions of democracy: Constitutional Court and Ombudsman Service, to improve the local and international visibility, accountability and transparency in order to gain trust from the public.

Background

Moldova, has been in a dangerous situation ever since its independence. On the one hand, it is facing the challenges of transition and on the other, the threat of secession of part of its territory, Transnistria. Russia, as a powerful ally of the Transnistrian leadership, is continuously trying to use its influence to convince Moldova to return under the Russian umbrella. Even though the European Union had made several efforts to enhance democratic transition in the country (EUBAM, EUSR etc.), these still don't seem to be enough. For the time being it can be said that lacking the perspective of EU membership, Moldova does not receive the help it needs from the EU.

Project Description

Constitutional Court and Ombudsman Service are the two most important institutions that are vital for strengthening the capability of vulnerable groups and minorities to exercise their rights and enforce their interests. CEID and its implementing partner ICDT believe these reforms will improve the effectiveness of the Constitutional Court and the Ombudsman Service in Moldova, so that they can give assistance to the citizens in the fight against inefficient administration and strengthen the protection of the fundamental constitutional and human rights.

In the initial phase of the project, in the summer of 2008 an expert mission was sent to Moldova. The main objectives of this visit were to identify and engage the key stakeholders of these institutions, to study the functioning of the existing institutions, to analyze current legal environment and legal sources, and to prepare discussion material for the following conferences.

In December 2008 the Constitutional Court of Moldova visited Budapest. Amongst others, the Chairperson of the Moldovan Constitutional Court, Dumitru Pulbere, and the judges met their counterparts of the Hungarian Constitutional Court, Dr. Judit Csiha, Head of the Constitutional Affairs Committee of the Hungarian Parliament as well as legal and constitutional law experts. The main aim of this study trip was to learn best practices by means of the Hungarian example and to find answers to concrete legal question regarding planned reforms.

Following two conferences in Moldova and a site visit in Strasbourg during the first year of this project, the Moldovan and international experts will create the new concept and framework of these Institutions.

From the second year onwards there will be hopefully the possibility to support the realization of the mentioned recommendations and to provide advice during the restructuring of the institutions.