

ANNUAL ACTIVITY REPORT

January – December 2013

Contents

1. SUMMARY	3	4. CAPACITY & DEMOCRATIC INITIATIVES.....	18
2. ORGANIZATIONAL OVERVIEW ...	4	4.1 Promoting accountable governance.....	18
2.1. 2013 Strategy	4	4.2 Promotion Human Rights.....	20
2.2. 2013 Action Plan	4	5. FINANCIAL AND AUDIT REPORTS .	25
2.3. Organizational Development	5	5.1. Report on Financial position.....	25
3. POLICY ADVOCACY.....	6	5.2. Raportul privind activitățile	26
3.1 Analysis and drafting of policies for democratic reform	7	5.3. Raportul privind circulația fondurilor.....	27
3.2 Analysis and advocacy for human rights.....	10	6. ANNEXES.....	28

1. SUMMARY

This is the 13th annual executive report of the organization. CReDO is in its last year of implementation of the 3rd organizational development cycle based on the 2009-2013 Strategic Plan. However, the upcoming parliamentary elections in November 2014 is likely to affect strategic planning process for the elaboration of the new 4th Strategic Plan for the next 3 years.

The parliamentary elections will represent a point where either the country will continue its European integration agenda with the current Coalition in power or this decision will be subject of consideration from the current opposition returning to power after some 5 years. The strategic choices depend thus entirely on the the outcome of the elections. In the former case, CReDO strategy will be European value based constructive engagement, while with the last election come, the strategy might be reconsidered.

CReDO is among the most influential policy analysis and advocacy organization, lately gaining its strong position in influencing wide range of policies from institutional reforms and democratization to human rights policies at the Cabinet of Ministers level as CReDO holds the chairmanship of the National Participation Council (CNP). To mention just few, non-discrimination law, greater independence of law-enforcement agencies, reform of police and Security Agency have been largely shaped by CReDO role. CReDO remained the leading actor in enforcing a most liberal and democratic law on public assemblies in the region. Our representatives are relied heavily on international level (OSCE/ODIHR, CoE and EU) for the assembly, policing and fair trial reforms.

The report offers a detailed overview of the organization's expenditure continuing the tradition established in 2000 of providing society with all the information necessary for the organization's activity. CReDO practices principles of transparency and organizational responsibility, the audit report confirms the

high quality of the organization's financial system.

The activity report is built of 4 chapters. The introductory chapters are followed by the description of activities in the field of policy analysis and of advocacy and lobby. Further follows the chapter describing the results of implementation of policies promoting human rights and democracy and empowerment of vulnerable groups. The chapter on capacity building describes training programs and the activity of the informational centre. The final chapter contains financial information and the audit report. Annexes contain information about the beneficiaries of the organization's activities.

A key challenge will be 2014 (fall) Parliamentary elections that might change the configuration of the political majority. The likely change in the governing majority might shift the paradigm and the framework of the involvement of the civil society with the Government. A challenge constitutes unfinished reforms in the justice, anti-corruption and independence/efficiency of public institutions. Another challenge is the building of the influence of the civil society sector on the policy-process in the Parliament. CReDO will continue to provide leadership in improving the role of the civil society organizations at the government level raising civil society influence and making the Government more open and accountable and will set the course for making similar achievements with the Parliament.

CReDO will stay focused on the end-policy-process influence with the direct and specific policy opinions, legal amendments and solutions as proven to be the effective policy influence process. It proven to be the most efficient way of influencing the policy process by developing rapid ability to research quickly into the matter subject and provide direct policy advice in a format of several pages that are both legally sound and economically, socially and politically implementable.

2. ORGANIZATIONAL OVERVIEW

2.1. 2013 Strategy

❖ *Mission:*

CReDO promotes human rights and functioning of democratic institutions. CReDO provides public and decision-makers with evidence for the best policy choice and advocates its effective accomplishment.

❖ *Vision:*

Moldova's democratic institutions stable and human rights compliance closer to European tradition.

❖ *Values:*

Our actions based on:

- Our values,
- Active engagement with real challenges,
- Creation added value for society.

We endorse:

- ✓ Diversity and pluralism,
- ✓ Impartiality and trust,
- ✓ Transparency and accountability.

Strategic Objectives

➤ **Objective 1:**

Society aware of and critically informed about the state and progress of democracy and human rights compliance in Moldova.

Results:

Relevant and key decision-makers from international institutions and diplomatic actors are provided with evidence-based submissions/reports.

Moldovan politicians and actors are informed and provided evidence-based submissions/reports on specific policy challenges, relevant choices and solutions. Public through media and internet have access to core arguments and consequences of the problems and solutions.

Objective 2: Decision-makers provided with policy solutions on key human rights challenges on the way of European integration of Moldova.

Results:

Moldovan politicians and decision-actors approached and explained the specific policy challenges, relevant choices, solutions, consequences of actions and non-actions. Upon failure of decision-makers to act, public advocacy targeted actions carried out and relevant pressure exercised through national and international channels and leverages. Issues and concerns addressed provide sign and evidence of improvement.

Objective 3: Broad-based organizational and opinions makers support for the human rights and democratization in Moldova.

Results:

Actions of civil society organizations are concern and challenge driven and not project oriented.

Greater circle of civil society groups and organizations are involved into the public standings and actions.

Relevant civil society and human rights groups actively participate in common advocacy campaigns and actions.

2.2. 2013 Action Plan

Most of the 2013 plans have been realised. CReDO implemented EU project on Freedom of Assembly, MATRA project on independence and autonomy of law-enforcement institutions, SIDA/DANIDA project on influencing decision-making process at the Cabinet level and worked with UNWOMEN and UNICEF on social and family policy.

The detailed account of the funds is provided in the last section.

2.3. Organizational Development

In 2011 the Council of Directors held 2 meetings and there took place several non-formal consultations and discussions.

It reviewed the issues:

- The draft annual activity report for 2011;
- Decision on strategic choices beyond 2013 Plan.

In the course of 2012-13 CReDO established itself as the prominent influential organization in direct lobby and advocacy actor with the Cabinet of Ministers and the line ministries. CReDO's holding the leadership of the National Participation Council (www.CNP.md) has turned the civil society platform into the recognizable and influential body that provide strong and recognizable input and change of the Ministers and the Cabinet of Ministers policy process. The current mandate will expire in 2014.

CReDO coordinates CNP annual major products: 1) Evaluation of the implementation of the Governance program (report for 2011 and 2012) and 2) Government-wide transparency respect and implementation report (2012 report). CReDO presents CNP opinions directly into the Cabinet of Ministers making it for the first time unprecedented influence of the policy-making process. Combined with the greater transparency of the Government in the course of the last few years, it allowed in a combined effort to propel the effectiveness of the policy lobby and advocacy substantially. At the level of the Ministries almost 50% of the concrete policy proposals transform into the accepted inputs, while at the level of the cabinet of Ministers about 10% of the proposals are taken into considerations.

This has been possible through the specific targeted effort to develop both specific skills

to input into the end-policy-process with specialized opinions and by raising the status and the soft-power of influence through media and organizational status of CNP and member organizations. Media and other actors rely on the powers of CNP and of the member organizations in the policy-process. CReDO will continue its leadership if CNP at least for the course of 2013-14 and later will consider to hand over its mandate.

CReDO will continue to select several areas of the strategic involvement. The areas of the strategic involvement mean that we will work on the begging of the policy-circle (problem research and problem awareness and building policy embracement coalition and framework for the adoption). That will require some several years to get through to the policy itself being directly influenced.

CReDO strategic communication approach rests on 3 pillars: 1) responding on the critical issues discussed on the public agenda or on decision-making agendas that prompt our programmatic position heard, known and used, 2) promotion of the policy messages through strategic alliances with www.europalibera.org, www.inp.md which are the most responsive policy-oriented media, while from there the messages are being circulated by Moldova 1, National radio, Publika TV and various internet and written press. Participation on the key subject is on weekly basis.

Supporting National Participation Council civil society platform, 2012-14, SIDA/DANIDA.

3. POLICY ADVOCACY

Objectives:

- Analysing policy problems
- Promoting solutions involving policies that are in line with European policies

Core results and lessons:

CReDO experience shows that there are several opportunities and lines of engagement in the policy process. There are several opportunities to achieve the advocacy results.

One opportunity is at the phase of the understanding of the problem through intensive and systemic public presence on the issue. This engagement requires organization extensive previous experience and expertise with the policy area through the policy research carried out or engagement in the relevant policy process decision-making activity. In both situations, in these areas the organization has to have adequate exposure in the public opinion, assertiveness and taking concrete and clear cut standings that makes the organization established and visible for the society and the public general and professional opinion. Simple project oriented activity is not only not sustainable but is also a waste of the expertise capital for the society or missed opportunity for the contribution for the relevant public awareness or decision-making process. For this phase the core challenge is to find ways is to keep the issues long enough on the public agenda and consequently push it to the possible decision-making agendas. Several years of sustained effort to keep the agenda on the subject is likely to provide the conditions for the issue to be accepted by the media and public as well as the decision-makers as an important issue with the chances to get on the decision-making agenda. Critical for this exercise is the formation of the pro-adoption (non-formal and more formal) coalitions across types of actors (opinion-makers, institutions, decision-makers, politicians, media, society, etc).

For this phase CReDO has particularly worked with the issues of: 1) autonomy and independence of the law-enforcements, 2) civil society sustainability mechanisms of directing taxes.

Another opportunity is to influence the adequate policy implementation and the prevention for the regressive developments in the earlier adopted positive policy developments. Moldova is notorious with the weak implementation of the adopted policies and we have seen a number of examples over the last decade and so, when a good policy would suffer from the inadequate implementation compromising the policy. The causes, depending on the case, either or combination of: a) intrinsic or smaller problems with the policy and policy implementation mechanisms, b) inadequate skills, mentality and political willingness, c) strong opposition in the implementation from inside or outside. This phase is essential for the monitoring of the implementation, capacity-building and continues changes in fine-tuning. The challenge is multifold, as collateral policies or other core/general institutional changes take process that might affect negatively the precious specific policy issue. CReDO has worked on several issues at this phase: freedom of assembly has been one of them. The continuous monitoring of the assemblies provided evidence that the current law is functioning adequately and some incidents are caused by either inadequate skills or violation of the law by third parties. CReDO public positions/briefs on concrete situations managed to provide adequate input.

At the same type new law on policy organization, financing of police, etc had to be evaluated on the assembly policy implementation. CReDO has done this all the time and used any opportunity in the process of the last adoption to make sure it does not affect the police role in freedom of assembly insurance. There has been a number of cases when some opponents of the law but also conservative (to the democratic and liberal assembly law) actors from inside the police/prosecutor, etc tried to push for the

reversal of the law and each time evidence and public positions played the positive role for the adequate implementation of the law.

- Example: Freedom of assembly debate to protect the law on assembly. On one side there had been several attempts by the opponents/third parties of the law to violate it grossly pretending that the law itself is faulty. On the other hand there were attempts to adopt new restrictive laws pretending that the current laws are not adequate for some situations. In both cases the causes of the problems lie elsewhere and therefore CReDO played a critical role to inform adequately public opinion and defend the current law, including through well document legal reviews of the drafts, etc.

Another opportunity is to follow closely the institutional police-making processes and provide direct input to influence the policy process to deepen and extending the positive implementation of the policy. This opportunity should not be underestimated and watched closely for the decisions and institutional decisions of periodic and other nature in the pipe-line. Periodic processes as Annual Budget, Fiscal and Monetary Policies but also key strategic policies of Regionalization, Decentralization, etc provide tunnel opportunities for a number of the specific issues policies. CReDO has used these processes to input specific contributions on a number of the policies and used the opportunity to strengthen the standing of the civil society contributions through the National Participation Council where CReDO holds the leadership position.

3.1 Analysis and drafting of policies for democratic reform

3.1.1 Independence of law-enforcement institutions

1.Report on the Response of the Law-enforcement institutions regarding the "Hunting Incident" - En, <http://www.credo.md/pageview?id=183?&lang=en> and Ro, <http://www.credo.md/pageview?id=183>

Given the Hunting incident on December 2012 with the alleged misconduct of the all law enforcements (Prosecutor, Police, SIS) and political crises emerged, CReDO took a proactive action to become the member of the Parliamentary investigative commission and also provide a deep insight into the event and specifically how and whether Prosecutor, Police and SIS have acted adequately and specifically independent and in autonomous way. 4 months of the work of the commission has been shadowed by CReDO.

The result of the work has finalised with the alternative report presented to the Parliament and the whole society. The report contained 33 specific and detailed recommendations pointing to the systematic failures of the functioning of the Prosecutor, Police and SIS. The alternative report to the one produced by the Parliamentary commission has been widely discussed and accepted as an authoritative one. Some recommendations of the Shadow report have been included in the final Decision of the parliament on the reform of the law-enforcement institutions. Reference docs/outputs: 1) Alternative report, 2) a dozen of media appearances, 3) Parliament decision containing recommendations from CReDO.

[2.Research on the autonomy and independence of the law-enforcement institutions: comparative analysis of 7 institutions. English version](#) summary and [Romanian version](#) full study.

The purpose of this comparative study is to identify international best practices (IBP) regarding the autonomy and independence (from political influence) of public institutions responsible for policy implementation in the justice field, and assess to what extent the legislation and practices in the Republic of Moldova correspond to these standards. The study covers 7 institutions: Prosecutor's Office, Security and Intelligence Service (SIS), National Anti-Corruption Center (CNA), Center for Human Rights (CpDOM), Border Police, General Police Inspectorate (GPI) and National Integrity Commission (CNI).

- a. Executive Summary of the Comparative report – En,
<http://www.credo.md/pageview?id=270>
 (and ppp presentation - Ro) – attached and Ro,
<http://www.credo.md/pageview?id=270?&lang=ro>,
- b. Comparative Research on Independence and Autonomy of Institutions - (Ro -
<http://www.credo.md/pageview?id=229>,
 (En -
<http://www.credo.md/pageview?id=229?&lang=en>)
- c. National Anticorruption Center (CNA) Research - attached an dlick,
<http://www.credo.md/pageview?id=369?&lang=en>
- d. General Prosecutor (GP) Research – Ro,
<http://www.credo.md/pageview?id=370?&lang=en?&lang=en>
- e. General Police Inspectorate Research – Ro,
<http://www.credo.md/pageview?id=371?&lang=en>
- f. Ombudsman Institute Research – Ro,
<http://www.credo.md/pageview?id=366?&lang=en>
- g. National Integrity Commission Research – Ro,
<http://www.credo.md/pageview?id=367?&lang=en>
- h. National Intelligence and Security Agency Research – Ro,
<http://www.credo.md/pageview?id=368?&lang=en>.

3. A summary analysis of draft laws on broadening the powers of the sacked Government on providing additional functions interim government of interim Prime Minister [English version](#) of the report

European constitutional practice approach confirms that ousted government may exercise only part of the functions that government has invested with the confidence of Parliament. Government no longer govern resignation, only managing current affairs, that given existing policies and lead central government under the status quo. It may not initiate new projects and laws and cannot issue ordinances. Article 103 (2) of the Constitution and its interpretation of the Constitutional Court dismissed the

Government confirmed only confer powers to implement programs and policies and management of central government. The bill on the counter art sacked widening government powers. The most important conclusion with respect to widening government wrongly dismissed is because enlarging powers unjustified and excessive powers pose a threat to parliamentary democracy and democratic institution for ensuring the legitimacy of the government.

4. In depth analysis of the independence, autonomy and transparency of Prosecutor office. 8. In depth analysis of independence, autonomy and transparency of National Anticorruption Agency (CNA)

These two researches represent an in-depth legal and institutional analysis of the comparative research on the international standards and current status of the institutions. Prosecutor Office and CNA are the most discussed examples that face most of the pressure and political interest, therefore we decided to do additional review of the institutional situation and current developments in the course of 2013.

5. Grouping methodology and Packages of Services for the Financial Policy of Inclusive Education for Children with Special Needs (SEN)

The report aims at 1) describing medical and social groups to understand the size and possible health implications of social integration, including that there is a clear diagnosis and a number of children, 2) detailed description of the difficulties and problems on the model below 3) describe and quantify the implications of service hours required for integration and adaptation 4) description of the materials necessary support and infrastructure.

The results of the report have been fed into the evaluation of the financial formula for the inclusion of children with SEN into the mainstream schools.

3.1.2 Policy briefs and legal analysis for the Cabinet of Ministers

1. In depth Analysis of the Accountability of the Budget of the Republic Of Moldova for 2013

This is a continuation of the 2012 effort to evaluate the budget performance in a number of sectors. First chapter looks into the income stability of the fiscal policies and revenue and the second chapter review 10 most concerned expenditures areas. The final chapter looks into the matter of the evaluation of the performance indicators of the budget as the budget based on the budget law has to be organized into the programs. The research is fed directly into the process of the elaboration of the budget policy.

2. Legal briefs and comments of draft laws and policies to the Cabinet of Ministers

Under this section we have 2 aspects: 1) policy-briefs related to specific practical situations and 2) legal opinions submitted directly to the Cabinet of Ministers and to the relevant Ministries. These documents are 1-3 pages long depending on the issue and target concisely the problem and the possible solution.

Legal and direct policy opinions

CReDO policy briefs and legal opinions submitted directly to the Cabinet of Ministers as part of the National Participation Council (CNP) platform. CReDO is responsible for the coordinating of CNP legal opinion submissions to the cabinet and also directly contributes to the following critically important issues:

1. Legal appraisal of the privatization of state media outlets and press policy,
2. Legal critique of making more efficient of the disability benefits.
3. Opinion on Professional Association of Doctors

4. Opinion on draft law on ministerial responsibility
5. Opinion on draft law on Prime-minister responsibilities after non-confidence vote
6. Legal opinion on draft prosecutor law on appointment and dismissal
7. Opinion on the Government Decision on Academy of Science and Cabinet competences in the area of science and innovation policy
8. Opinion on the draft Governmental decision on the Action Plan for persons with Disabilities
9. Legal Review on the draft law on housing
10. Legal opinion on the draft law on appointment of the judges and president rights
11. Opinion on the Cluster promotion Policy
12. Legal review of the Industrial Parks law
13. Legal review of adoption of Ethics Code for Deputies
14. Opinion on the modification of Audiovisual Code on Media property Rights Transparency
15. Opinion on modification of law on State Debt
16. Opinion on the methodology of Monitoring of Implementation of legislation
17. Opinion on modification of Electoral Code on Electoral Lists competence of local administration
18. Opinion on Modification of Financing Political parties (promotion of women aspects)
19. Opinion on draft law on modification on hunting
20. Opinion on Draft law on housing
21. Opinion on Draft law on mass-manifestations
22. Opinion on Draft law on housing energy efficiency
23. Opinion on draft law on ombudsman

- 24. Opinion on draft law on modifications in contravention code on propaganda of homosexuality
- 25. Opinion on the modifications on the law on hunting in protected areas and respective regulations.

Legal briefs and opinions can be found as part of the consolidated submission of National Participation Council (CNP):
<http://www.cnp.md/ro/sedinte-de-guvern>.

3.2 Analysis and advocacy for human rights

3.2.1 Freedom of assembly

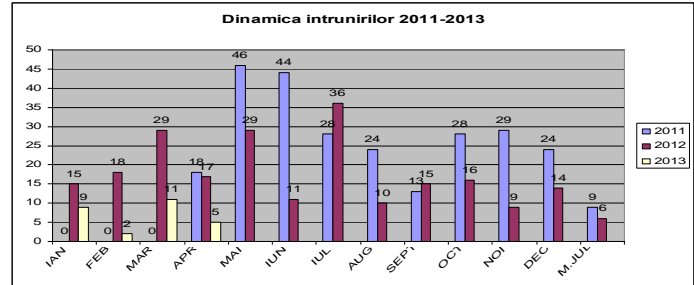
CRDO continued the latest years' practice of editing an annual report on the monitoring of freedom of assembly.

The **“Report on monitoring the observance of freedom of assembly in the Republic of Moldova-2013”** is, like in previous years, a comprehensive synthesis of quantitative and qualitative information analyzed and provided in an understandable format.¹

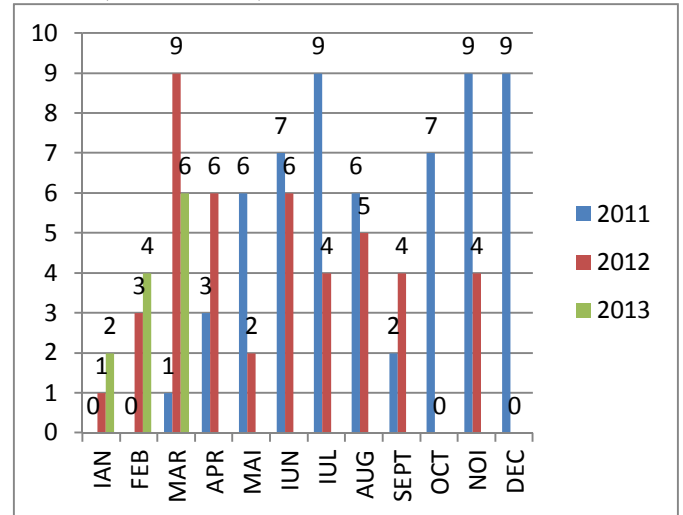
The findings of the report confirm the continuation of a positive dynamic in the exercise of freedom of assembly in the Republic of Moldova. We carried out observation and monitoring of 515 assemblies which took place in between April 2011 – April 2013. This represents about 30% of all the assemblies taking place in the Republic of Moldova in the given period. The main number of assemblies took place in Chisinau (almost 80% in 2011 and 2012). The other cities hosted, as expected, a considerably smaller number of assemblies. The number of the assemblies that took place in the Transdnestrian region is considerably smaller (about 3 times less per capita). The focus of

the monitoring process was on the police response to assemblies.

Statistics of assemblies monitored on right bench of Nistru: 2011-2013,



Statistics of assemblies monitored on left bench of Nistru (Transnistria): 2011-2013.



Each monitoring action provides information consisting in monitoring reports, photo and video documents. The gathered information and data offered thus qualitative and quantitative basis for analysis and evaluation of the freedom of assembly issues, especially referring to handling and interventions of public authorities. The monitoring process produced inputs for the dialogue with the public institutions and for the capacity building trainings for police. The information is also used for developing the awareness raising meetings and in the police skills trainings.

The findings and the statistics collected in the monitoring process was used for the

¹

<http://intruniri.credo.md/mods/meetings/images/Raport%20Intruniri%20Monitorizare%202011%20v9%20ro.pdf>

consolidated monitoring reports for 2011² and 2012 produced by the Action. More details about the results of the monitoring process can be found in the report.



Pictures taken at the monitored assemblies

The project activity to monitor the freedom of assembly in the Transnistrian region is a premiere for the Republic of Moldova. While the right bank situation does not pose major difficulties to the monitoring activity, the left bank situation requires much more precaution and discretion in the activity of the monitoring team. Given the higher risks involved, not all trained monitors are willing to fully engage in the monitoring process.

The documentation on the assemblies was provided to anyone interested and is also available on internet on the on-line platform of the project <http://intruniri.credo.md> and the media partner http://www.publictv.md/ro/Public_Assemblies/.

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<http://intruniri.credo.md/mods/meetings/images/Raport%20Intruniri%20Monitorizare%202011%20v10%20ro.pdf>

CReDO has also drafted expertise on the draft laws discussed during this period of time with the Ministry of Internal Affairs and the parliament, these are:

1. Legal opinion on the draft law on the Police organization,
2. Legal opinion on the draft law on Carabineers service organization,
3. Legal opinion on the Draft Regulation on the Police organization,
4. Legal opinion on the law on mass-demonstration.

CReDO's opinion contributed substantially to the final decision to have one integrated Police force responsible for the management of the demonstrations and keeping the public order. Carabineers Service has been cancelled. CReDO engaged directly with the Cabinet of Ministers, Ministry of Internal Affairs and parliamentary commission on security issues.

1. Study on police organization to ensure autonomous management and policing practices in the Republic of Moldova

The report has been developed and launched as a result of the reform process in police. The study has been submitted to police and discussed.

The core conclusions of the study are: Regarding functional independence and autonomy: 1. Law regulating the activity of Police should *expressly guarantee functional and operational independence and autonomy*. These guarantees should cover and forbid not only *interference in individual cases*, but also *political recommendation to examine and investigate certain cases and situations*. 2. *Institutions may be subject to control only relating to legality*. 3.

Budgetary autonomy means that the institution should be able to formulate its own budget, based on institutional objectives and plans. Any modification of the budget should be justified by a Ministry of Finance opinion. The institution should be granted *sufficient financial resources to perform its operational activity*. *Reduction of the institution's budget throughout the year should be expressly prohibited*

by law. 4. The law should establish efficient mechanisms to *protect the institutions' employees from unjustified influence from outside or from within the institution*. Efficient mechanisms will include accessible procedures for denouncement of such cases, launching internal investigations and operative activities, sanctions and penalties for such influences.

Regarding accountability and transparency: 1. *Principal-agent relations (Ministry-Police Inspectorate) should be created between the mentioned institutions and authorities to which they report regarding policy implementation in the field*. The mechanism separating sectorial functions of policy making and implementation should be institutionalized, thus reducing political influence and intervention in the agencies' activity. 2. The model of administrative and operative subordination should be replaced by *performance reporting on policy implementation objectives and tasks set before the institution*. Institutional reporting is a *modern model for strengthening the separation of policy making and monitoring from implementation functions*. 3. Institutional reporting to the concrete authority, the Parliament or the Executive, should be based on several decisive criteria: 1) main object of the institution's activity should not coincide/overlap with the authority to which it reports, 2) institution's activities should be well integrated with authorities receiving final results of this activity, 3) ensuring efficient and result-oriented performance of the institution. 4. In order to ensure adequate reporting on institutional performance and progress of policy implementation, institutions will draft *institutional plans covering products offered to the society, results and indicators that need to be achieved and expected impact on the field of intervention*.

In the course of 2012 we witnessed several attempts to modify in restrictive manner the law on assemblies. These proposals referred to: restrictions on the place of holding assemblies, putting additional burdens on holding assemblies, enlarging the rights of the police to suspend the assemblies, etc. The

proposals came from the police. CReDO has constructively engaged each time with the police and presented both evidence from monitoring and that "identified problems with the law" are not the ones that are real. CReDO evidence-based policy conclusions have managed to put off the police proposals to head with these amendments.

Report on Freedom of Assembly in Republic of Moldova, including Transnistria region for 2013

This report is similar to one of 2012 that looks into the main developments on the freedom of assembly in the course of 2012, including Transnistria region.

3.2.2 Social policy research

1. Sociological research on the perceptions of human relations among various social groups in Transnistria region of the Republic of Moldova [English version](#) of the document.

This paper analyses the inequality of perceptions of the populations in the Transnistrian region of the Republic of Moldova on the quality of life and quality of relationships from both banks. This research is among the few first attempts to go into the subtle substance of the perceptions on the quality of life on both banks of river Nistru and covers the period of 5 years (2008-12). The paper draws the research on the perception of the well-being, quality of access to basic services, access to information, degree of mutual trust and their perception of the rights respect. The ethnic and linguistic groups' in the region are very diverse and their perceptions differ. The perception measure shows considerable interests and involvement on behalf of the population about the life and developments in the rest of the country and lower perception of quality of their life as compared to the life on the other bank.

2. Analysis of de-facto in effect legal norms on the freedom of religious association in Transnistria region of the Republic of

Moldova The [English version](#) of the paper is presented below.

The Conclusions of the report are: 1) *Foreigners and stateless persons* cannot be founders, which is inconsistent with international standards. However, they can be members and participants of ROs only if they “permanently and legally” reside on the territory on the left-bank region (Article 8 (1) of the Law on RAs). It appears that this **restriction is inappropriate and impracticable.** 2) The **number of persons** required to create a religious group and to register a RO does not contradict international standards. Individuals cannot be founders of centralised ROs, **which can be inconsistent with international standards.** 3) ROs pursue the goal of collectively practicing and spreading faith; it is forbidden to create ROs whose goals or actions are aimed at extremist activity (Article 9 (1) of the Law on Countering Extremist Activity). However, the *concept of extremism is quite voluminous* (Article 1 of the Law on Countering Extremist Activity), which leads to the possibility of its **broad interpretation and, therefore, abuse.**

3. Analysis of de-facto in effect legal norms on the freedom of political association in Transnistria region of the Republic of Moldova The [English version](#) summary is presented below.

The Conclusions of the research are: 1) *Founders and members* of PAs can be the citizens of the Left Bank region that meet certain requirements. Thus, the purpose behind prohibiting an entire category of persons (all the citizens that are held in places of detention) to be founders and members of PPs is unclear, which **raises the issue of discrimination.** It appears that persons should not be limited in the possibility to become founders of PPs for the single reason of being in detention. 2) The restrictions on the PP membership of the persons who are members of the armed forces, police, or administration of the State are consistent with international standards. Thereby, **the political activity of these persons can be limited so as to ensure**

impartial execution of their official duties, to avoid the conflict of interests when performing their official duties, to guarantee the rights of third parties, and to avoid bias in their behavior.

4. Educational Code Legal Review, 25.12.2013

-Necesitatea accentuării dezvoltării atitudinii și competențelor active necesare pentru integrare în societate,

-Promovarea pluralismului și accesului pe piața serviciilor educaționale a inițiativelor și actorilor din sectorul privat,

-Accentuarea autonomiei, în cadrul stabilit, a prestatorilor serviciilor educaționale la capitolul conținutul curiculei educaționale și managementului financiar,

-Instituirea mecanismelor autonome de evaluare a calității și a conformării prestatorilor serviciilor educaționale la volumul, calitatea și rezultatele educaționale,

-Asigurarea mobilității în cadrul sistemului educațional al beneficiarilor serviciilor educaționale,

-Asigurarea drepturilor constituționale în cadrul prestării serviciilor educaționale prin intermediul incluziunii și integrării a reprezentanților grupurilor vulnerabile și minoritare.

4. Inequality within inequality: the impact of ‘frozen conflict’ on regional disparities.

The complete exclusion of the Transnistria’s population from the official statistics disables policy makers, academia or international agencies to have a more exhaustive approach when dealing with a social or economic policy issue. This fact, in essence, can be considered as a priori limitation and treatment of inequality towards the population from the left bank, compared to the one on the right bank. Our study attempts to define inequality through the usage of opinion polls.

The tension between people on both sides exists according to the opinion of less than a half of our respondents. Yet, the causal explanation are perceived by people as a result of: 1) unrecognized status of Transnistria, 2) Previous hostilities in army conflict, 3) differences in predominant language spoken, 4) existing administrative barriers on both sides, 5) Lack of negotiation and discussion progresses, and to less extent, but also 6) due to lack reliance on mass-media and difference in socio-economic developments. One can see that the tensions are explained in a rational way by some concrete negotiable characteristics and therefore are possible to be overcome through an effort of intense confidence-building measures and reciprocal communication. The differences do not bear the irreconcilable manner.

Generally the population on the left bench shows a discontent with respect to their living standards on the left bench, but also with respect to public life. About a half of our sample sees a political instability in the region that affects their life; freedom of expression and respect for human rights is not satisfactory on the left bench, the results of our survey shows. People perception of the troubles and unresolved problems and importantly lower level of quality of life and enjoyment of the liberties are due to the inability of the policy makers to come with the specific pragmatic solutions for these problems or in general.

Despite of having an indifferent (to negative) attitude towards the government on the right and left bench, most of the respondents agreed that at the core of the Moldo-Transnistrian relationship the interests of Republic of Moldova, Ukraine and Russia in the first place are at stake, followed by the rest of international stakeholders. People perception tends to see them disfranchised from the political processes and being trapped in regional and international power centers confrontations. One could see that people do not trust the institutionalized policy-makers nor have active participatory attitude and

willingness to engage into the process of influence the outcome of the processes. The legitimacy of the authorities does not rely on the goods and wealth brought to people, but rather by virtue of their existence and of some kind of status quo.

People on the left bench have a positive attitude towards people on the right bench and are willing to know more about the Standard of living on the right bench (72 %); Business (69%); Health services (59%); Education services (48%) ; Agriculture (34%) from the right bench. People interest on the standards of living and quality of life on the other bench is another proof of both interest and care for what happens on the other bench of river and interest in the actions of the authorities from that side of the river. Measurement of perception shows that their rate most of the conditions and services provided on the other side of river as better or more accessible.

Their perceived inequality could be explained by obvious self-blaming that the life is always is better some-else, but also shows that subjectively based on some direct experiences their access and quality of services and conditions of life would rather improve and get to the standard of the other side of the river. This shows that people do not deny the other bench of the river realities, inquiry into them with rationale to project and prospect them onto themselves as a sign of the openness but also as a sign of worse-off perception as compared to the situation in the rest of the country.

3.2.3 *Public statements*

1.Civil society organizations, civic movements and citizens' groups have protested in defense of the historic center of town. Chisinau. 17/07/2013

Worried massive destruction of cultural and historical heritage of Chisinau initiative group "Postmen Chisinau" has organized several protests to determine the local and central

authorities to take action and seek to rebuild the destroyed monument company Leo Press: simultaneously initiative group boycott campaign launched Leogrand Complex Hotel & Convention Center. This campaign was supported by a number of civil society organizations that have organized and have participated in events held at Leogrand Hotel & Convention Center.

2. Civil society appointments

Active civil society is a key factor for the functioning of democratic institutions. Polls show increasing confidence in civil society amid declining trends of trust in state institutions and political entities.

- In this context, we note with deep regret the undemocratic practice shaping deputies manifestly erroneous and annoying the experience of the civil society organizations. In a democratic society, trust in the political class is determined by the correctness, legality and plausibility arguments decisions. In this context exhibit with concern recent cases in which actions reveal contempt custom democratic politicians:

- Manifestly erroneous assessment of experience, professional skills of the Attorney General. Special parliamentary committee ignored the substantial professional experience gained over expert - lawyer business within 2 reference organizations in promoting democracy and anticorruption. Lawmakers have invalidated this experience as irrelevant to public office again.

- Political censorship on expert opinion on the candidate for membership in the National Integrity Commission. Member's invalid candidate with unquestionable experience of 10 years in anticoruptie invoking disagreement exposed corruption expert opinion on the draft laws.

- Discrimination on grounds of opinion, affiliation to social groups in the selection process for the position of member of the Council on preventing and combating discrimination. Special parliamentary committee for selection of invalid activity considerable experience in the field, without giving any explanation or reasoning for the decision.

3.2.4 *International work*

- Guidelines on Freedom of Assembly OSCE/ODIHR,

- Policing handbook for OSCE policemen

- Bolotnoe case, Moscow, Russia

CReDO represented expertise to elaborate the report.

-Maidan, Kyiv – freedom of assembly and European choice

CReDO has acted and consolidated the wide support and prompted NGO Council and CNP: The civil society solidarity towards the European option and the democratic transformation of Ukraine

-The Civil Society of Moldova supports the European and democratic aspirations of Ukraine.

The popular and authentic support of the European option in Ukraine cannot be neglected. Also, the assimilation of the European democratic transformations is the responsibility of the political class.

-We express our solidarity with the intention of Europeanization of Ukraine, requested during the peaceful demonstrations, held in the capital of the neighbor country and other its cities, with millions of participants exercising the right to freedom of assembly. Peaceful expression of their option in favor of the Europeanization is

a democratic right that expresses the essence of the constitutional democratic transformation of the society.

-We support the responsible and democratic civil society of Ukraine, and underline the Vilnius Declaration framework that underlines the important role of the civil society in the process of European integration of Ukraine, militating for the right to peaceful public assembly, for Government's responsibility in taking decisions in a transparent way, and respecting the citizens' interest for the reform of the democratic institutions.

-We disapprove the attempt of some actors to distort the peaceful nature of the demonstrations in Ukraine, the known phenomenon that caused some aggressive actions during the peaceful demonstrations on April 7, 2009 in the downtown of Chisinau. In such situation, the security forces - the police and security organs - bear positive obligation to facilitate the right to freedom of peaceful assembly and to maintain the public order.

-We address this appeal to all democratic forces in Ukraine aiming to continue the European integration, also due to the fact that the real process of Europeanization of the entire Moldova is possible only alongside and together with Ukraine.

We call upon the President of the Republic of Moldova, the Government and the Parliament of the Republic of Moldova, and the democratic political parties, to extend their full support for the European integration and the democratic transformation of Ukraine.

3.2.5 National Participation Council

Opiniile CNP:

- [02.10.2013](#), [16.10.2013](#), [29.10.2013](#), [06.11.2013](#), [13.11.2013](#), [19.11.2013](#), [27.11.2013](#), [04.12.2013](#), [13.12.2013](#), [17.12.2013](#), [26.12.2013](#), [30.12.2013](#)

CRDO direct contribution on draft policies:

Opiniile CNP

Partea 1: intervenții pe substanță (sinteza opiniilor grupurilor de lucru + analiza efectuată de Biroul Președintelui).

- 02.10.2013
 - Proiectul de hotărâre a Parlamentului "Cu privire la participarea Republicii Moldova la operațiunea internațională de menținere a păcii din Kosovo"
- 16.10.2013
 - Modificarea Regulamentului privind vânzarea acțiunilor proprietate publică la Bursa de Valori
 - Proiectului de lege pentru modificarea și completarea unor acte legislative (combaterea criminalității cibernetice)
- 29.10.2013
 - Proiectul de lege privind accesul publicului la informația de mediu
 - Proiectul de lege pentru modificarea și completarea unor acte legislative (contracarea activităților extremiste)
 - Avizul la proiectul de lege pentru modificarea și completarea Codului contravențional (sancțiuni pentru neanunțarea Inspecției în construcție despre autorizarea de construcție obișnuită)
 - Avizul la proiectul de lege privind modificarea și completarea unor acte legislative (scutiri de TVA)
- 06.11.2013
 - Modificarea și completarea Codului de procedură penală a Republicii Moldova (termenul aducere la cunoștință a ordonanței de bănuț, condițiile de cercetare la fața locului, plafonarea cu 2 ore a termenului de asigurare a apărătorului la percheziție, precizarea folosirii sistemelor informaționale în măsurile de investigație, extinderea măsurii de interceptare telefonică)
 - Proiectul de lege pentru modificarea și completarea unor acte legislative (simplificarea procedurilor legate de lansarea unei afaceri)
 - Proiectul de lege pentru modificarea și completarea unor acte legislative (înregistrarea de stat a obiectelor de infrastructură tehnico-edilitară)
 - Normele metodologice de aplicare a Legii privind reutilizarea informațiilor din sectorul public
- 13.11.2013
 - Strategia de dezvoltare a comerțului interior în Republica Moldova pentru anii 2014-2020 și a Planul de acțiuni pentru anii 2014-2016 privind implementarea acesteia
 - Proiectul de lege pentru ratificarea Acordului-cadru de împrumut între Republica Moldova și Banca de Dezvoltare a Consiliului Europei pentru realizarea Proiectului de construcție a penitenciarului din Chișinău
 - Cu privire la privatizarea bunurilor proprietate publică de stat prin concurs investițional pe bază de proiecte individuale
 - Cu privire la acordarea titlului de parc industrial SRL "LA TRIVENETA CAVI DEVELOPMENT" și modificarea destinației unor terenuri
 - Modificarea HG 294 din 11 mai 2012 (Numirea directorului și directorului adjunct ai Autorității Aeronautice Civile prin hotărârea Guvernului și nu

- prin ordinul ministrului transportului și infrastructurii drumurilor)
- 19.11.2013
 - Modificarea HG 597 din 13.08.2013 cu privire la efectuarea vânțorii în sezonul de vânțoare 2013-2014 (majorarea de mai bine de 2 ori a cotei de recoltare a mistreilor)
 - Strategia de cercetare-dezvoltare a Republicii Moldova pînă în 2020
 - Avizul asupra proiectului de hotărîre a Parlamentului privind aprobarea limitei numărului de unități de personal și a schemei de încadrare a Consiliului Concurenței
 - 27.11.2013
 - Proiectul legii bugetului de stat pe anul 2014.
 - Avizul la proiectul de lege pentru modificarea și completarea Codului fiscal (legea 2%, direcționarea de către contribuabil a unei părți de impozit către organizațiile de utilitate publică).
 - 04.12.2013
 - Avizul asupra proiectului de lege cu privire la modificarea și completarea Codului cu privire la știință și inovare
 - Avizul la proiectul de lege pentru modificarea articolului 12 din Legea nr.279-XIV din 11 februarie 1999 cu privire la tineret
 - Avizul asupra proiectului de lege pentru modificarea și completarea unor acte legislative (Legea apelor, Codul subsolului)
 - 13.12.2013
 - Avizul asupra proiectului de lege pentru modificarea și completarea Legii nr.102-XV din 13 martie 2003 privind ocuparea forței de muncă și protecția socială a persoanelor aflate în căutarea unui loc de muncă
 - Avizul la proiectul de lege cu privire la modificarea și completarea Regulamentului Parlamentului
 - Avizul asupra proiectului de lege pentru modificarea articolului 11 din Codul funciar (înlocuirea noțiunii de familii nou-formate cu de familii tinere în vederea eliberării de APL a terenurilor fructificate pentru construcția caselor de locuit)
 - Abrogarea HG 273 din 15 martie 2006 (desființarea Consiliului de observatori al procesului de reconstrucție și restaurare a Complexului monastic "Curchi")
 - 17.12.2013
 - Programul de dezvoltare a controlului financiar public intern pentru anii 2014-2017
 - Completarea anexelor nr.1 și nr.2 la Hotărîrea Guvernului nr.246 din 8 aprilie 2010 (dreptul de a contracta serviciile și bunurile la cota 0 TVA)
 - Regulamentul de organizare și funcționare a Consiliului Național al Monumentelor Istorice
 - Proiectul de lege privind modificarea și completarea unor acte legislative (Legea nr.278 din 14.12.2007 cu privire la tutun și la articolele din tutun.)
 - 26.12.2013
 - Proiectul de lege pentru modificarea și completarea unor acte legislative (înregistrarea de stat a obiectelor de infrastructură tehnico-edilitară)
 - Planul național de acțiuni pentru ocuparea forței de muncă pe anul 2014
 - Avizul la proiectul de lege privind importul unor obiecte de cult religioase
 - Privind serviciul electronic guvernamental de autentificare și control al accesului (MPass)
 - Planul de acțiuni pe anul 2014 pentru implementarea Programului strategic de modernizare tehnologică a guvernării (e-Transformare)
 - 30.12.2013
 - modificarea Programului privind repartizarea mijloacelor fondului rutier pe anul 2013
 - Abrogarea Hotărîrii Guvernului nr. 273 din 15 martie 2006 (desființarea Consiliului de observatori al procesului de reconstrucție și restaurare a Complexului monastic "Curchi")
 - Modificarea și completarea anexei nr.1 la Hotărîrea Guvernului nr.657 din 6 noiembrie 2009 (instituirea corpului de control al Prim-ministrului)
- Partea 2 a Opiniilor CNP (Constatări cu privire la neîncadrarea deplină a unor proiecte de reglementări în procedura de transparență decizională) redactată în baza contribuțiilor GL.
- 7 Conferințe de presă organizate cu invitarea instituțiilor media cheie: [Link](#), [Link](#), [Link](#), [Link](#), [Link](#), [Link](#), [Link](#)
 - Briefing pentru presa privind subiectele pe agenda Cabinetului de Miniștri, 16.10.2013
 - Briefing pentru presa privind subiectele pe agenda Cabinetului de Miniștri, 29.10.2013
 - CNP și societatea civilă reafirmă importanța aprofundării procesului de integrare europeană, 01.11.2013
 - Briefing pentru presa privind subiectele pe agenda Cabinetului de Miniștri, 06.11.2013
 - Briefing pentru presa privind subiectele pe agenda Cabinetului de Miniștri, 13.11.2013
 - Membrii CNP au acționat Guvernul în judecată pentru netransparență! Poziția CNP privind subiectele de pe agenda Cabinetului de Miniștri din 27.11.2013: Despre transparență decizională și Bugetul de Stat
- Societatea civilă din Moldova solidară cu opțiunea europeană și transformarea paucă a Ucrainei, 02.12.2012

4. CAPACITY & DEMOCRATIC INITIATIVES

Objectives:

1. Government accountability and transparency
2. Promotion of human rights

Results:

The core results obtained in 2013 have been the strong voice for the democratic values of the democratic institutions. Specifically, the independence and autonomy of the law-enforcement bodies became the subject of public discussion and enriched decision-makers vocabulary. The position influenced a number of decisions.

Assembly rights and policing obligations have remained on the positive pace despite several attempts in 2013, the Ministry, some deputies in the Parliament and some hawks in the presidency formed an informal coalition in order to promote the adoption of the “new law on mass-demonstrations” that would jeopardise substantially the regulatory environment of the law on public demonstrations from 2008. We managed to defend the position of blocking and killing the intention of the draft law through systematic presentation of the findings of the monitoring of assembly rights that would prove that there no need to change the current regulatory rules as well as by having strong presence in the press and at the Cabinet of Ministers. The Ministry and the “conservative” coalition dropped the mentioned law intention, yet, came up with another draft law “on introduction of some changes in the current law on public assemblies” in the later 2013.

4.1 Promoting accountable governance

4.1.1 Support for more socially accountable governance

As part of the advocacy and lobby activities has direct link (not all exclusive, but majority are) to CReDO input:

- 4 Strategy for the Protection of Family and Children has been proposed by the Ministry of Social Protection and Family for the Governmental considerations (*assisting the Ministry throughout the process, base-line research of problems and best practices, review of current policies, drafting policy measures and their consultation, reviewing contributions from the consultations*).
- 5 The Report on the services required to elaborate financial stimulus for the inclusive education for the children with SEN is taken the basis (*the report is adopted as a reference document for the elaboration of the formula for per-child financing for children with SEN as Ministry guiding document, CReDO has drafted and consulted the document*),

4.1.2 Promotion of independent and autonomous accountable law-enforcement bodies

In the course of 2013, we continued activities from 2012.

Prosecutor General’s Office

-Jan 2013: Contributed to the draft Code of Ethics for prosecutors.

-April-May 2013: Taken active part in the commission on selection of the prosecutor general as parliamentary appointed commission (formulated proposals).

-Feb 2013: Commented on a draft amendment to the Law of the Prosecutor’s Office, involving changes to the procedure of dismissal of prosecutors (acted publicly on PublikaTV, M1, Europa.libera.org).

-Jun 2013: Commented on a draft amendment to the Law of the Prosecutor’s Office, involving changes to the procedure of appointment and dismissal of the Prosecutor General and

submitted to the Cabinet of Ministers and the Parliament.

-July-September 2013: Working with prosecutor created working group and parliament on the Prosecutor reform,

-September 2013: meeting with Prosecutor general and further facilitation of the reform dialogue.

Reference docs/outputs: 1) Prosecutor Institutional report, 2) 20 Principles of civil society engagement drafted by CReDO lead, 3) proposals accepted in prosecutor Strategic Plan, 4) 2 legal opinions/ draft legal proposals.

Security and Intelligence Service (SIS)

-February 2013: CReDO appointed as a representative of civil society in the working groups to finish off the draft strategy (a number of meetings, including the meeting of the State Security Advisory Group),

-February-June 2013: working with the working group to include findings of the research, Changes in the strategy have been included in chapters on independence, autonomy and transparency

-June to date 2013: Advocacy for the adoption of the provisions in the Parliamentary commissions.

-September 2013: hearing in the Parliamentary commission on security with the provisional approval of the Strategy document with civil society proposals (pending Plenary hearings),

-September-October 2013: working on the draft laws for the implementation of the Strategy (work to be continued beyond the project),
Reference docs: 1) Institutional report, 2) proposals accepted in prosecutor Strategic Plan, 3) 2 legal opinions/ draft legal proposals.

National Anticorruption Center (CNA)

-Jan 2013: Contributed to the draft Code of Ethics for CNA employees.

-Mar 2013: Round table on the political independence and institutional autonomy of the CNA, with the representatives of the Anticorruption Center, Anticorruption Prosecutor's Office and civil society.

-April-May 2013: Critical review of the amendments as part of the political confrontation

-Apr 2013: Comments and press conference on proposed amendments to the Law on the National Anticorruption Center, with implications for institutional independence.

May 2013: Submission to Constitutional Court on CNA,

-May-June 2013: Substantial contribution on the increase of the financial independence of CNA, elaboration of draft salary scales and of the budgetary independence principles. The proposal has been well received and accepted.

-April-June 2013: as part of the working group working on the improvements in the internal regulations (professional selection and integrity requirements)

-August-September 2013: Intervention at the Cabinet of Ministers on the mentioned regulations through opinions and Advocacy.
Reference docs: 1) Institutional report, 2) draft Regulation on public integrity, 3) draft regulation on Professional appointment, 4) 2 Opinions on the changes in the law, 5) submission to Constitutional Court, 6) 2 legal opinions/ draft legal proposals

General Police Inspectorate and Border Police

-October 2013: early comments on the draft on policy organization law (discussed with Ministry of Interior),

-October 2013: submission to the Cabinet of Ministers on the draft law on policy organization with several recommendations accepted,
-Jan - Feb 2013: Commented on the draft structure and regulation of the State Police Inspectorate.

-Jun 2013: Organized a round table with MIA, contributed to the draft amendments reorganizing the Carabineer troops.

-Jul 2013: Commented on the draft Disciplinary Statute of the police officer.

Reference docs: 1) Institutional report, 2) 2 Opinions on the changes in the law on policing and Code of Police Ethics.

4.1.3 Percentage law

6 *Working group to support the elaboration of the percentage law*

CReDO has acted actively and played a critical role in the elaboration of the chapter 2 of the Civil Society Consolidation Strategy 2015. Chapter 2 refers to the fiscal conditions of the functioning of the nonprofit organizations.

As part of the implementation of the chapter 2, CReDO and Ministry of Finance have created the working group for the elaboration of the draft law and the governmental mechanism for the implementation of the percentage law. The draft law and the mechanisms have been finalized.

4.1.4 Political crises

Political crises in spring 2013 prompted public attention of the civil society as several concerns to the democratic institutions.

7 *Draft law for Extended rights of the Prime-minister and the Government*

With reference to Act 135 of 30.04.2013, noting that the Government no longer governs resignation, only managing current affairs, given that existing policies and lead the central government under the status quo. It may not initiate new projects and can not issue orders. Article 103 (2) of the Constitution and its interpretation of the Constitutional Court dismissed only confirms the Government conferring the powers of implementation of programs and policies and management of central government. Bill on enlarging the powers of the Government dismissed contrary to art. 103(2) of the Constitution. Referring to Law no. 126 of 25.04.2013 observe that the award interim government prime minister sacked function to propose for appointment or the dismissal of a member of the Government should be given a broad interpretation and contrary to constitutional norms and would be inconsistent with the spirit of the Constitution. Comparative analysis reveals that the powers of constitutional caretaker Prime Minister (Government invested by Parliament) and tasks Interim Prime Minister (Government resigned) may not be identical; there is a qualitative difference, especially in terms of narrowing duties last. We recommend declaring the unconstitutionality of the bill no.

135 of 30.04.2013 which amends Act no. 64 of 31.05.1990 on Government and declaring the unconstitutionality of the bill no. 126 of 25.4.2013 which amends Act no. 64 of 31.05.1990 on Government.

8 *Law on reduced autonomy of Anticorruption Agency (CNA)*

Referring to the amendments to the law on CNA amendments undermines stability according to CNA management and financial autonomy substantially reduces the institution's work. The bill uses the wrong tools (independence and autonomy) to address the issues raised, namely: "accusations of selective justice", "distrust in the institution." For these situations, the best fitting and democratic tools are: 1) strengthen legality and casework supervision in prosecutions conducted by the Prosecutor and 2) effective control over criminal justice, and ultimately of justice. The law adopted in Parliament has a solution administrative activity of the judiciary having an obvious political valence. Reform CNA is one of the priorities in the plan negotiation process of visa liberalization. Recommended declaring the unconstitutionality of the bill (arguments and justify our position is contained in the attached analysis on the independence CNA).

4.2 Promotion Human Rights

4.2.1 Implementation assemblies rights

A guide for assembly organizers and public authorities was elaborated. The title of the guide is „Handbook for public assemblies”. The guide is made of three sections:

- The first section is designated for general users (organizers' of assemblies, participants and other interested persons) comprising the information on international and practical standards on freedom of assembly, national legislation and procedures, common scenarios, public manifestations which are not assemblies, and other annexes.

- The second section contains interpretation of the specific provisions referring to the role of each public authority involved in managing public assemblies and the organization of its activity.
- The third section contains particular roles and actions of the police in planning and managing of the assemblies.

The guide has been elaborated together with the public authorities' representatives. A Control council (<http://www.mai.md/content/11493>) (with the participation of the Ministry of Internal Affairs chiefs of departments responsible with public order, the Chisinau municipality) approved the guide for the training use.

The draft version has been used throughout the trainings and seminars. The final version of the guide is published and disseminated in 1000 copies to the police participants.

Photo of the guide's cover:



- visit of the Moldovan police have been carried out as planned

A second exchange visit to Warsaw (Poland) police involving Moldovan public order authorities (3 representatives, list provided below) was made in March 19-21 2013.

List of participants to the exchange visit: Anatolie Secu – chief of the Public Security Department in the MIA; Ștefan Pavlov – commandant of the Chișinău municipal Patrol Regiment SCUT; Sergiu Plesco, Police Captain, Patrolling and Sentinel Battalion.

The visit comprised of a full 3 days program consisting of meetings with public order responsible authorities in Warsaw and on the spot descending to the main places of public

manifestations in Warsaw for operational and tactical breakdown of the experience of the Polish authorities including Municipal Police, Meeting with the plenipotentiary of the Head of the Police Training Centre on Human Rights, Study visit in the Police Intervention Department, Study visit In the Police Centre of Command; Police training on securing mass events; Police Training Centre

Pictures taken during the study visit to Warsaw:³



Formal meetings (left), practical aspects sharing (right)

- seminars and trainings with the Moldovan police
1. Training: "Negotiation, communication and constructive tactics during mass-assemblies", February 26, 2013, Balti, Basarabia hotel premises

The seminar was attended by 50 participants of policemen. It focused on the developing of the skills in handling mass-demonstrations and particularly the psychological aspects of the mass-gatherings. The participants have been just high-ranking policemen responsible for the public order from Briceni, Ocnita, Floresti, Soroca, Falesti, Telenesti, Riscani, Edinet and Drochia rayons. We used case-studies and simulations as well as distributed educational materials to explain aspects of the psychology and of the police tactics. The guide on mass-demonstrations has also been distributed.

2. Training: "Negotiation, communication and constructive tactics during mass-assemblies"

³ A selection of the pictures taken during the study visit can be found at: <https://picasaweb.google.com/117208305244669999546/2012032629VizitaDeStudiuBucuresti?authkey=Gv1sRgCLqT6arAqJiLnQE> and <https://picasaweb.google.com/117208305244669999546/20130319VizitaDeStudiuAREprezentantilorMAIDinMolodvaInVarsovia>

", February 27, 2013, Chisinau, Trade Unions Palace premises

The seminar was attended by 43 participants of policemen. It focused on the developing of the skills in handling mass-demonstrations and particularly the psychological aspects of the mass-gatherings. The participants have been just high-ranking policemen responsible for the public order from Straseni, Dubasari, Ialoveni, Orhei, Causeni, Basarabasca, Criuleni, Hincesti, Bender, Stefan Voda, rayons. We used case-studies and simulations as well as distributed educational materials to explain aspects of the psychology and of the police tactics. The guide on mass-demonstrations has also been distributed.

3. *Training: "Negotiation, communication and constructive tactics during mass-assemblies"*, February 28, 2013, Comrat, Police Commissariat premises

The seminar was attended by 27 participants of policemen. It focused on the developing of the skills in handling mass-demonstrations and particularly the psychological aspects of the mass-gatherings. The participants have been just high-ranking policemen responsible for the public order from Cahul, Taraclia, Vulcanesti, Ciadir-lunga rayons. We used case-studies and simulations as well as distributed educational materials to explain aspects of the psychology and of the police tactics. The guide on mass-demonstrations has also been distributed.

The mentioned trainings have covered around 120 policemen from these 3 regions of Moldova. The trainings have been directly requested by the police headquarters. The participants have been chiefs of Public Order Police, chiefs of Public Order Sections, chiefs of Patrolling and Sentinel Services and chiefs of the Personnel and Education Services of all commissariats of Moldova. The trainings have had both theoretical and practical aspects of the skills building. We had several case studies discussed and modeled specific scenarios for the management of the concrete situations.

The trainings were conducted by Serghei Ostaf (ODIHR/OSCE Panel of Experts), Aliona Badiur, CReDO coordinator and seconded Anatolie Secu (head of Public Security Department, MIA).

- Police coaching on assembly rights

On a number of occasions (PCRM, CACD assemblies, etc) CReDO has been asked to provide input to the Chisinau commission for public assemblies (at the invitation of Chisinau City Hall) in order to ensure the respect of freedom of assembly and the conformity of the decisions with the international standards of human rights. The project has also provided quasi permanent consultancy for police authorities and MIA authorities in issues concerning the opportunity of police intervention in some delicate assembly situations. During the second year of implementation, the project team has had several principled interventions concerning the practical issues of the public policies applied by authorities in regard to public assemblies.

In this regard, the project has interacted closely and provided expertise with direct consultation and public opinions to the Chisinau public administration and police authorities during the preparations of the public assemblies organized on:

1. Opinion on the march and physical altercations between PCRM and police forces on 18 March 2013,
2. Opinion on the manifestations organized by PCRM and Civic Congress on April 4, 2013.

- Capacity for monitoring assemblies

1. *Final review-training for the network of observers from both banks of Nistru river* (Chisinau, Turist, CReDO premises, March 15-16, 2013).

This training included the majority of the observers of 65 participants overall. They come in shifts in order to develop their interest to continue cooperation with CReDO in the future. We have developed the exit-strategy of the project.

Selection of photos from the trainings



The final review-training has set out the idea of the development of the local networks of the monitors.

1. *Seminar: "Presentation of Freedom of assembly rights in Moldova", March 15, 2013, Turist hotel, CReDO premises*

The report has been presented to police and local public administration as well as to the interested parties (organizers, ngos) to discuss face to face possible shortcomings and annual evolution on the freedom of assembly. The seminar was based on the presentation of the report for the situation in 2012. Participants have been coming from: Primăria Chișinău, Ministry of Internal Affairs, Police Inspectorate and Patrolling Police, General Direction of Public order Police, Human Rights center, PromoLEX și Amnesty International. The event was attended by 22 participants.

-Training for review and evaluation of the challenges of the observers network, April 3-4, 2013, hotel Turist, CReDO premises

The final training was attended by most observers as part of reteaua National Observatory.

The training included the following topics:

- Important observatory network for monitoring freedom of assembly in RM
- Difficulties and challenges in the performance monitoring process
- Analysis of comparative law on assemblies RM and MRI
- Enforcement by the organizers and the policing of assemblies, difficulties encountered in monitoring.
- Meet the exercise of rights at meeting
- Presentation and discussion of statistics on freedom of assembly in RM and MRI during the years 2011-2013

Final conclusions were:

- expanding network of observers and future collaboration.
- Maximum involvement in monitoring
- Completing and sending often delay monitoring reports
- In year 2, a better understanding of freedom of association and of assembly monitoring
- No difficulties in monitoring itself (specification that in some meetings was necessarily using power, identification cards);
- The right to assembly by the police at the highest level;
- Increasing the number of meetings that aim to protect cultural heritage, buildings, squares, monuments of architecture;
- Increasing meetings with elements of violence.

The project managed to create a body of evidence that substantiate what real problems exist with the management and insurances of the freedom of assembly. Comprehensive reports and conclusions will provide support to chill out any attempts to make regressive modifications in the law on assemblies and therefore the impact on the legal policy is considerable.

The project managed to build adequate capacity with the police and cultivate adequate constructive relationship with the police so that Moldovan police has a substantial good understanding in the management of the freedom of assembly. Police has developed the

sense of the liberal assembly polices holders that would provide the continuation of the effective assembly management in the future.

The project has also developed the capable network of the observers that could contribute partially voluntarily on the assembly rights developments in the country. This resource is an asset that is sustainable and could be activated when needed.

The project has also managed to contribute to the adequate police organization where skills and knowledge on assembly policing have stayed with the police and have not been moved to the Carabineers troops. We have also managed so far to create the public opinion that barred any attempts to adopt more restrictive amendments.

4.2.2 Implementation social rights

1. *Supporting Ministry of Social Protection, Family and Child in developing new strategy for Family and Children, 2012-13, UNICEF*

CReDO has coached the Ministry in detailed evaluation of the problems and needs of the families and children. The evaluation has combined research and collection of the direct information from the target groups across the country as well as the social workers. The Needs assessment report has been published and discussed largely

<https://www.facebook.com/StrategiaDeProtectieACopiluluiSiFamiliei20132020>.

Based on the evaluation report, CReDO developed the Family and Children Protection Policy that has been widely consulted with the relevant actors, the draft Policy for 2014-20 are in the pipeline for the cabinet approval.

2. *Evaluation of the Policy Options for the financial incentives for the Inclusion of the Children with Special Educational Needs, 2012-13, UNICEF*

CReDO has worked with a team of consultants from various backgrounds (social workers, health experts, economists) in order to develop the methodology for the financing of the inclusive children education. The methodology developed started with the comprehensive assessment of the social services required for the adaptation of the children in the mainstream school. This document has 2 objectives: short account of the international and other jurisdictions experience regarding the financing base don formula of the children with special needs and grouping of the children with special needs according to the required support services for the educational inclusion.

Grouping of the children has been done on the basis of the specific methodology elaborated by a group of practitioners and specialists from the organizations that have the experience of more than 10 years in the inclusive education. 10 experts and practitioners have developed the most relevant and adequate package of the services for the children with the specific problems and difficulties start from the medical approach and finally obtaining a grouping of social character matching the educational inclusion needs. The result of the group is based on the needed support services to include children into the education.

The final result has been the economic assessment and cost of the social services and calculation of the coefficients per child formula.

5. FINANCIAL AND AUDIT REPORTS

All reports are presented in Moldovan lei.

5.1. Report on Financial position

Balance sheet as at 01 January 2014

	Notes	01-Jan-14 MDL	01-Jan-13 MDL
ASSETS			
Property and equipment			
Building	1	2,004,814	2,133,100
Furniture	1	9,656	14,017
Computer equipment	1	45,955	85,453
Car	1	0	0
		2,060,425	2,232,570
Current assets			
Other receivables	2	95,051	31,656
Cash and cash equivalents	3	2,270,342	2,116,644
		2,365,393	2,148,300
Total assets		4,425,818	4,380,870
ACCUMULATED FUNDS AND LIABILITIES			
Accumulated surplus			
Accumulated surplus	4	5,324	(93,565)
Revaluation reserve	1	860,354	917,711
		865,678	824,146
Liabilities			
Deferred income	5	1,200,071	1,314,859
Deferred revenue from grants	5	1,815,805	1,497,121
		3,015,876	2,811,980
Current liabilities			
Payables and accruals	6	17,764	30,744
Loan		526,500	714,000
		544,264	744,744
Total liabilities		3,560,140	3,556,724

Total fund balance and liabilities	4,425,818	4,380,870
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Director Serghei Ostaf

Accountant Panico
Vladislav

5.2. Raportul privind activitățile

Income Statement for the year ended 31 December 2013

	No tes	2013 MDL	2012 MDL
Revenue			
Grant revenue	7	2,937,473	4,689,103
Other revenue	8	426,755	10,725
		<u>3,364,228</u>	<u>4,699,828</u>
Expenses			
Program and administrative expenses	7	(2,876,184)	(4,689,103)
Other expenses		(479,852)	
		<u>(3,356,036)</u>	<u>(4,689,103)</u>
Excess of expenses over revenue		8,192	10,725
Net foreign exchange loss		(8,192)	(21,452)
Surplus (deficit) before income tax expense		0	(10,727)
Income tax expense		-	-
Gain (Deficit) for the year	4	<u>0</u>	<u>(10,727)</u>

Director Serghei Ostaf

Accountant Panico
Vladislav

5.3. Raportul privind circulația fondurilor

Statement of Cash Flows for the year ended 31 December 2013

	Notes	2013 MDL	2012 MDL
Cash flows from operating activity			
Surplus before income tax expense		0	(10,727)
Adjustments for:			
Grant revenue		(2,937,473)	(4,689,103)
Other non-cash revenue		(187,391)	
Exchange difference		61,179	47,309
Operating loss before changes in working capital		(3,063,685)	(4,652,521)
(Increase) / decrease in other receivables		(63,395)	41,067
Increase / (decrease) in payables and accruals		(12,980)	(50,841)
Cash generated from operations		(3,140,060)	(4,662,295)
Income tax			
Net cash from operations		(3,140,060)	(4,662,295)
Cash flows from investing activities			
Acquisition of property and equipment		(4,074)	(46,409)
Net cash utilised in investing activities		(4,074)	(46,409)
Cash flows from financing activity			
Net Funds received		3,297,832	6,540,886
Net cash flows from financing activity		3,297,832	6,540,886
Net increase / (decrease) in cash and cash equivalents		153,698	1,832,182
Cash and cash equivalents at 1 January	3	2,116,644	284,462
Cash and cash equivalents at 31 December	3	2,270,342	2,116,644

Director Serghei Ostaf

Accountant Panico Vladislav

6. ANNEXES
