



# REPORT no. 5

***Promo - LEX***

*Advancing democracy and human rights*

## CIVIC MONITORING OF POLICE REFORM IN THE REPUBLIC OF MOLDOVA

2020 retrospective  
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## SUMMARY

**General framework of police reform.** Although there was no change in the Cabinet of Ministers in 2020, there were some changes in the management of the GPI and its subdivisions. This fact caused some difficulties in the implementation of the activities planned, especially of the strategic ones. Additionally, the fulfillment of the activities established by the strategic documents was influenced both by the moratorium imposed on the vacant positions within the GPI and MIA, and by the COVID-19 pandemic.

In 2020, the GPI underwent some institutional reorganization following the approval of the Government Decision on the organization and operation of the GPI at the end of 2019. Even if new organizational structures of GPI subdivisions were approved, the authority failed to decentralize the activities aimed at maintaining and ensuring public order at the level of the territorial subdivisions of the Police. This emphasizes the lack of real willingness to carry out institutional reforms in compliance with the strategic commitments made.

In addition, in 2020, we witnessed a certain lack of political will to fulfill the commitments assumed, proven by delaying the approval, and subsequently abstaining from voting on the draft law that ensures the legal conditions for the regionalization of the Police.

At the same time, in 2020, the citizens' trust in the Police continued to increase, towards October 2020, the degree of confidence reaching 41% - value identical to the one established by the "Support for Police Reform" Sector Reform Contract.

**Achievement of the Police Reform objectives.** **Objective 1** has the mission to ensure access to more qualitative police services by enhancing the professionalism, transparency and efficiency of the Police. Quantitatively, it is the objective with the most commitments. In this regard, objective 1 of the PDS comprises the largest number of actions (7) and sub-actions (36).

In the opinion of the Promo-LEX, of the 36 sub-actions, 8 (22%) have been fulfilled, 13 (36%) - partially fulfilled, 9 (25%) - unfulfilled, and in the case of 6 sub-actions (17%) the Association could not decide given that they are too generally formulated or their indicators are not measurable.

It should be mentioned that in 2020, the deadline for 11 sub-actions expired, of which 3 were assessed as fulfilled, 3 as partially fulfilled, and 3 as unfulfilled. Two other sub-actions could not be assessed by Promo-LEX being too general in their formulation or having immeasurable indicators. At the same time, none of the sub-actions assessed as unfulfilled in the previous reports changed its rating in 2020.

It should be noted that the sub-action that had been identified in Report no. 3 as one with a considerable risk of failure (no. 1.6.3 – consolidating operational management by clearly establishing the field in order to create a complex system for decisional support, based on an integrated information system of operational management), in this Report, was qualified as unrealized.

With regard to the Policy Matrix, it should be noted that although the performance indicators for 2020 have been canceled, following the actions taken in 2020, the overall share of women and the share of women officers in the Police has increased. Additionally, 373 non-commissioned policemen and carabinieri soldiers were initially trained (remotely), 758 employees of the MIA subdivisions

received continuous training, and repair work to ensure the infrastructure of the Joint Law Enforcement Training Center was initiated.

**Objective 2** aims at increasing citizens' access to more qualitative police services; the emphasis being laid on respecting human rights in the activity of the Police. Quantitatively, the objective contains practically the fewest actions (2) and sub-actions (8).

Of the eight sub-actions, in the opinion of Promo-LEX, 5 (62.5%) were fulfilled and 3 (37.5%) - unfulfilled.

In 2020, the deadline for half of the sub-actions listed under Objective 4 expired, three of which were assessed as fulfilled and one as unfulfilled. Sub-actions qualified as unfulfilled in previous reports have not changed their rating.

With reference to the Policy Matrix, we point out that following the actions undertaken in 2020, 4 pre-trial detention isolators were put into operation.

**Objective 3** aims at increasing the capacity of the Police in combating crime and ensuring public security. It contains 2 actions and 12 sub-actions.

Regarding the degree of accomplishment of the activities planned, Promo-LEX identified that out of 12 sub-actions, only four (33%) can be considered fulfilled, 1 sub-action (8%) is unfulfilled, 4 (33%) - partially fulfilled, and in the case of three other sub-actions (25%), the Association could not decide on the grounds that they are too generally formulated or their indicators are not measurable.

Only two sub-actions expired in 2020, one of which was assessed as partially fulfilled and the other as fulfilled. The sub-action qualified as unfulfilled in the previous reports has not changed its rating.

With reference to the Policy Matrix, we point out that the actions undertaken in 2020 resulted in the purchase of computing equipment and peripherals for the departments of criminal investigation, and the conduct of study visits and training for the staff.

**Objective 4** contains sub-actions oriented towards bringing the police service in line with European and international standards. It is a general objective, which contains 3 actions and 20 sub-actions.

We consider that of 20 sub-actions, seven (35%) were fulfilled, one (5%) - unfulfilled. Another 10 (50%) were qualified as partially fulfilled, and in the case of two activities (10%), the Association could not decide on the grounds that they are too generally formulated or their indicators are not measurable.

Nine sub-actions expired in 2020, five (55.5%) of which were assessed as fulfilled and four (44.4%) as partially fulfilled. It should be noted that two of the sub-actions considered completed (4.1.1 and 4.1.2) had been fulfilled before the expiry of the deadline.

It should be additionally noted that the sub-action that was qualified in Report no. 3 with a considerable risk of non-achievement (4.2.10- Development of the integrated computer system of the Police), in this Report has been assessed as partially fulfilled.

With reference to the Policy Matrix, we note that following the actions taken in 2020, 421 police officers and 10 national trainers have been trained in community policing. Nineteen headquarters of police departments were reopened after capital repairs, the level of endowment with TETRA equipment of the GPI reached 43%, being purchased 370 radio terminals. Likewise, the average

response time to citizens' emergency calls has been reduced to about 32 minutes, which is 3 minutes less than in 2019.

**Objective 5** has been developed with the purpose of promoting and ensuring transparency of the activity and professional integrity of the Police. It contains 2 actions and 8 sub-actions. In the opinion of Promo-LEX, of the eight sub-actions only one (12.5%) can be considered as fulfilled, six (75%) - partially fulfilled, and one (12.5%) unfulfilled.

Five sub-actions expired in 2020, of which Promo-LEX rated four as partially fulfilled, and one as unfulfilled.

At the same time, of the 2 sub-actions that were qualified in Report no. 3 as ones with considerable risk of nonfulfillment, in this Report, one is assessed as partially fulfilled (5.1.3 - development of the electronic system for finding and recording road offenses in order to reduce the intervention of the human factor in this activity), and another is qualified as unfulfilled (5.1.4 - reorganization of the system of public procurement within the Police and training of staff in this regard).

With reference to the Policy Matrix, we note that following the actions taken in 2020, most of the actions set out in the Plan on Preventing and Combating in the GPI have been carried out, and the minimum salary in the Police units is 162.82% compared to the minimum expenditure basket set by the National Bureau of Statistics for the first semester of 2020.

**General conclusions.** Out of the 84 activities planned for implementation in the period 2016-2020, Promo-LEX assessed the degree of implementation as follows: *25 sub-actions – fulfilled (30%); 33 sub-actions - partially fulfilled (39%); 15 sub-actions - unfulfilled (18%).* At the same time, *11 sub-actions (13%) are too generally formulated* and their indicators are not measurable.

In 2020, 31 sub-actions were to be completed, of which, according to Promo-LEX: *12 (38.7%) are fulfilled, 12 are partially fulfilled (38.7%), five - unfulfilled (16.1%), and two sub-actions (6.5%) cannot be assessed due to immeasurable indicators.*

## INTRODUCTION

The Promo-LEX Association is a non-governmental, non-profit and apolitical organization, which pursues public benefit and operates in accordance with the applicable laws of the Republic of Moldova. The mission of the Promo-LEX Association is to contribute to the development of democracy in the Republic of Moldova by promoting and defending human rights, monitoring democratic processes and strengthening civil society.

The Republic of Moldova needs profound reforms in many areas. One of these areas is the activity of internal affairs bodies and the police - institutions empowered to protect the rights of citizens. Historically, institutions in this field are undergoing a continuous process of restructuring and modernization. In this context, on May 12th, 2016, the Government of the Republic of Moldova adopted the 2016-2020 Police Development Strategy. In the same year, the EU Delegation and the Government of the RM signed the Support for Police Reform Financing Agreement, providing for complementary support for monitoring the Police Reform.

In order to fulfill the statutory provisions, in the period of December 14th, 2018 - December 13th, 2021, the Promo-LEX Association is implementing the "Civic Monitoring of Police Reform in the Republic of Moldova" project, funded by the European Union as of December 14th, 2018.

The "Civic Monitoring of Police Reform in the Republic of Moldova" highlights the role of civic oversight by non-governmental organizations during the implementation of reforms, as well as the right of citizens to participate in the decision-making process. The overall objective of the project is to consolidate the responsibility, efficiency and transparency of the police reform in the Republic of Moldova.

The findings and conclusions of the civic monitoring of the police reform are presented in periodic, annual and semi-annual reports, elaborated by the Promo-LEX Association.

Report no. 5 is an annual one, representing a post-factum synthesis of the conformity of the reform throughout the calendar year of implementation - 2020, established by comparing the content of official reports submitted by the police with the observations made by the experts of the Promo-LEX Association. The observations of the monitors are made based on the analysis of the official documents, interviews with decision-makers and results of the direct observations, and other relevant information obtained from the monitoring methodology.

## CIVIC MONITORING METHODOLOGY

The monitoring reports are developed based on a methodology prepared by an international expert, which includes, on the one hand, methods used to analyze documents and interviews with central level decision makers, exploited mainly by the central team of the Association. On the other hand, the methodology provides for direct observation and interviewing of monitoring subjects at regional and local levels.

The conclusions of the Promo-LEX Association on the fulfilment of operational objectives of the reform have been developed by referring to the performance indicators and the deadlines stipulated in the relevant program documents. The ratings used to assess the achievement of the objectives are: *fulfilled*, *partially fulfilled* and *unfulfilled*. According to the existing methodology, the rating - *fulfilled* is assigned to actions/activities that were considered sufficient and relevant for the achievement of the proposed objective; *unfulfilled* is assigned to the actions/activities that did not generate the intended objective; and *partially fulfilled* is assigned to the actions/activities that did not fully contribute to the achievement of performance indicators.

The sub-actions, which are too broadly formulated and whose indicators are immeasurable contain comments only, without being rated as fulfilled, partially fulfilled or unfulfilled.

Considering that by approving on 23.12.2020, the Addendum no. 2 to the Financing Agreement - "Support for Police Reform", the performance indicators for 2020 of the Policy Matrix were canceled, the objectives set out in this document will not be given qualifiers<sup>1</sup>, only comments will be included for the activities initially planned to be carried out and the performance indicators initially planned for this year.

Report no. 5 of Civic Monitoring of the Police Reform in the Republic of Moldova is an annual report, drafted for the reference period of 2020.

Being the last year of implementation of the Police Development Strategy, this Report analyzes the actions / sub-actions that expire in 2020 and whose deadline expired before 2020, being qualified as unfulfilled in previous reports. Report no. 5 does not include the sub-actions considered obsolete or inappropriate by the implementing institutions and the ones analyzed in the previous civic monitoring reports<sup>2</sup>.

In this regard, we analyzed the 2020 Police Action Plan<sup>3</sup>, the Report on the evaluation of the level of implementation of this plan<sup>4</sup>, the 2020 Progress Report on the implementation of the 2016-2020 Police Development Strategy<sup>5</sup>, the 2020 Police Activity Report<sup>6</sup> and the activities carried out by the MIA, the GPI and their subdivisions during 2019 and other relevant documents.

In addition to the analysis of documents, the methodology for civic monitoring of the implementation of the reform in 2020 also included on site research: direct observation and interviews. Thus, in the

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<sup>1</sup> In 2019, in order to assess the achievement of the performance indicators established in the Policy Matrix, the qualifications used were: achieved, partially achieved or not achieved.

<sup>2</sup> [Report](#) no. 2. Civic Monitoring of Police Reform in the Republic of Moldova, p. 8-10

<sup>3</sup> [2020 Police Action Plan](#)

<sup>4</sup> [Report](#) on the evaluation of the level of implementation of 2020 Police Action Plan

<sup>5</sup> [2020 Progress Report](#) on the implementation of the 2016-2020 Police Development Strategy

<sup>6</sup> [2020 Police Activity Report](#)



period between February 17 and March 19, 2021, 43 interviews were conducted with the management of the police inspectorates and the Chisinau Police Department and / or with persons designated by them. It should be mentioned that Promo-LEX monitors informed in advance the management of the police inspectorates about the types of questions to be asked, and the heads of the police inspectorates subsequently decided whether to answer them in person or to delegate people from other subdivisions. Respectively, the questions of the Promo-LEX monitors were answered, including individually and collectively by: 39 heads / deputy heads of the police inspectorates (PI), eight heads of operational coordination departments, seven employees of the technical surveillance and road accident services, six heads of the crime investigation departments, six heads of human resources departments, three heads / deputy heads of public security departments, a head of the public order department, an officer of the detention and escort service, a head of the information management department, a communications officer, a deputy head of the 112 rapid response service (Chisinau PD).

At the same time, four<sup>7</sup> interviews were conducted remotely, using online platforms.

In addition, in the police inspectorates where special premises have been set up for hearings, for person's identification, for confidential meetings of the persons suspected / accused with the defense counsel (Criuleni PI, Telenesti PI), they were observed in terms of minimal mandatory requirements approved by the GPI.

In the period of February 25 and March 9, visits were carried out in five detention facilities: Anenii Noi, Balti, Comrat, Criuleni, Sorocea to observe the conditions of detention within them and carry out interviews with representatives of the Detention and Escort Service.

In the period of 19.02.2021 - 11.03.2021, Promo-LEX monitors carried out fact-finding visits to 22 headquarters of the renovated police departments, observing their upgraded conditions. Of these, the headquarters of the Chetrosu police department no. 5 in Drochia District was observed only from the outside, given that at the time of the visit, it was closed.

Also, on April 8, 2020, a fact-finding visit was paid to the newly established headquarters of the Joint Law Enforcement Training Center.

Additionally, we filed a request for confirmatory information and documents to the General Inspectorate of Police and the Ministry of Internal Affairs and analyzed the answers and documents received following the request.

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<sup>7</sup> Nisporeni PI, Dubasari PI, Hincesti PI, Ialoveni PI.

## GENERAL FRAMEWORK OF POLICE REFORM

The 2016-2020 Police Development Strategy (PDS) and the Action Plan on its implementation were approved by Government Decision no. 587 on 12.05.2016. The Strategy ensures the continuity of the reform process initiated by the Concept for the Reform of the Ministry of Internal Affairs (MIA) and its Subordinated and Decentralized Structures and represents an alignment of the actions planned with the provisions of the European Union - Republic of Moldova Association Agreement<sup>8</sup>.

### *The general objectives of the Strategy are:*

1. Consolidating the responsibility, efficiency, transparency and professionalism of the Police.
2. Fair, efficient and effective application of human rights legislation in the activity of the Police.
3. Consolidating the capacities of the Police to fight organized crime, trafficking in human beings, cybercrime, violence, including gender offenses, drugs and weapons smuggling, counterfeiting and money laundering.
4. Creating a modern police service, in accordance with the best international standards and practices of the European Union, able to respond proactively and equally to the needs of citizens and society as a whole.
5. Promoting and implementing the principle of zero tolerance for corruption, discrimination and ill-treatment in the activity of the Police.

Subsequently, in December 2016, the Government of the Republic of Moldova and the European Commission signed the "Support for Police Reform" Financing Agreement worth 57 million euros.

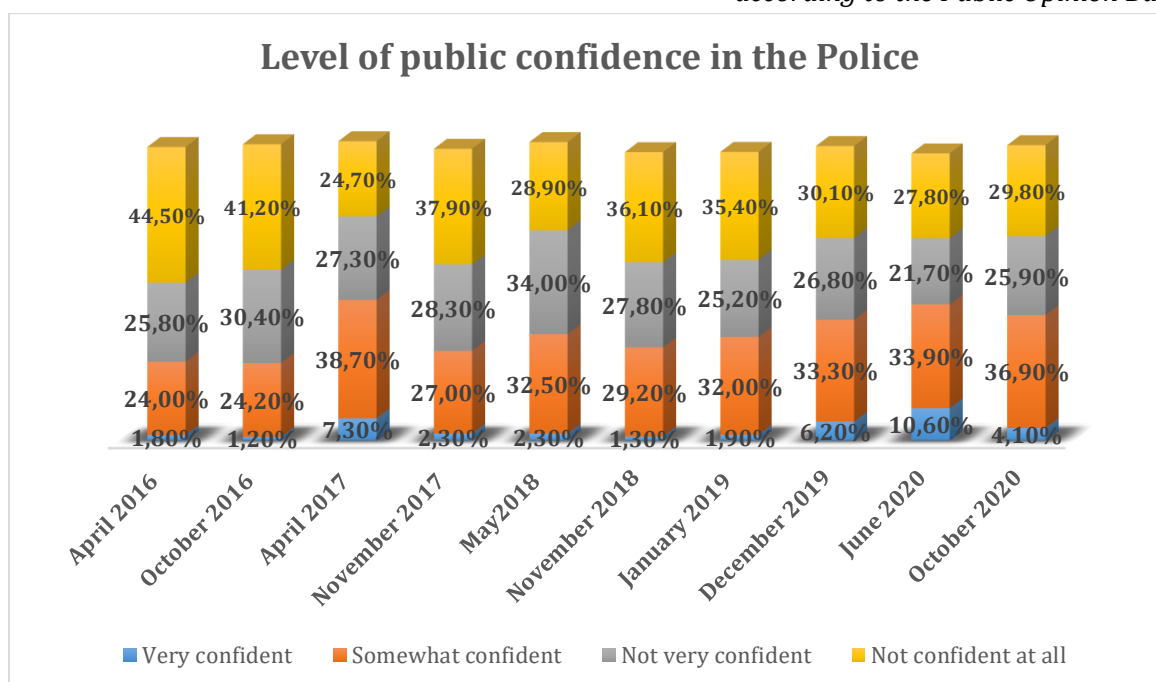
*The general objective* of the "Support for the Police Reform" Agreement (Budget Support Program) is to assist the Government of the Republic of Moldova in ensuring the rule of law, consolidating public order and security, combating organized crime and protecting human rights by developing a transparent, efficient, responsible and accessible police. The indicator of the implementation of the general objective is *an improved and maintained level of confidence in the Police (share of people who trust the police gradually increases)*, the reference value of confidence being that of April 2014 -31%. The target set for the implementation of the general objective is to increase the level of population's confidence in the police and reach *at least 41% by 2019*.

Data included in chart no. 1, reveal citizens' increased tendency to trust the Police (the share of citizens who have a lot of confidence and who have some confidence). By October 2020, there is a share of 41% confidence in the Police, a value identical to that established by "Support for Police Reform" Agreement for 2019.

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<sup>8</sup> Title II: "Political Dialogue and Reform, Cooperation in the Field of Foreign and Security Policy" and Title III "Justice, Freedom and Security".

**Chart no. 1.** *The level of public confidence in the Police, according to the Public Opinion Barometer*



The specific objectives of the Budget Support Program are similar to the general objectives of the Police Development Strategy with the express mention of alignment with the best EU and international standards and practices. The description of the specific conditions and annual indicators for the disbursement of installments is provided in the Policy Matrix.

On 23.12.2020, Addendum no. 2 to the “Support for Police Reform” Financing Agreement entered into force, amending Addendum no. 1 Technical and administrative provisions for implementation. According to these changes, the specific conditions for the disbursement of the fourth variable tranche have been canceled. Previously, this tranche was to be disbursed provided that the performance indicators set out for 2020 were met, and after the entry into force of Addendum no. 2, the remaining financial means from the Budget Support Program were revised to increase the fixed tranche quota for COVID-19. Thus, following these changes, in fact, the performance indicators established in the 2020 Policy Matrix were canceled. Subsequently, the method of assessing the activities carried out in 2020 was adjusted to the Policy Matrix<sup>9</sup>.

On January 24, 2020, the General Inspectorate of Police approved, by Order no. 29, the 2020 Police Action Plan<sup>10</sup>, which included 35 activities to implement the actions in the Action Plan for the implementation of the Police Development Strategy, most of which are of first priority and are planned to be completed by December. Subsequently, on May 19, 2020, by GPI Order no. 136, the Action Plan was updated<sup>11</sup>, the activities remaining largely the same.

According to the Report on the assessment of the implementation of the 2020 Police Action Plan, 92% of 137 sub-actions were carried out in full or in part<sup>12</sup>. At the same time, 20% of the actions that

<sup>9</sup> See point 4.

<sup>10</sup> [2020 Police Action Plan](#), approved by GPI Order no. 29 of 24.01.2020

<sup>11</sup> [2020 Police Action Plan](#), approved by GPI Order no. 136 of 19.05.2020

<sup>12</sup> [Report](#) on the assessment of the implementation of the 2020 Police Action Plan, p.4

were not fulfilled or were partially carried out in 2020 have been planned for 2021. Among the significant arrears, the GPI mentions the following:

- progressive increase of the share of non-commissioned officers within the Police in accordance with the provisions of the Policy Matrix regarding the Police Reform and of the Methodology of reversing the pyramid of posts;
- capacity building for criminal record keeping;
- promoting road safety for children;
- national operationalization of the integrated management system of Police resources for emergency calls;
- automating the activity of verification/ documentation of citizens by the Police patrol teams by equipping the specialized vehicles of the Police with mobile data processing equipment and terminals, querying databases, generating standard procedural documents, in order to reduce the time of documenting citizens and the reduction / exclusion of corrupt behavior (PIcar);
- reviewing the basic operational processes;
- conducting a public opinion poll at the end of the implementation of the "Community Police" project.

Thus, failure to implement these sub-actions is mainly caused by the omission of regionalization of police subdivisions, by the epidemiological situation and measures taken by the police in the context of preventing the spread and contamination with COVID-19 and delaying the operationalization of newly created structures following the reorganization of Police in 2020.

At the same time, in addition to the arrears mentioned above, among the issues highlighted in the 2020 Police Activity Report<sup>13</sup> are mentioned:

- Insufficient involvement of some authorities in taking over cases identified / documented by the Police according to their competence. Involving police officers in inappropriate activities;
- Insufficient allocation of financial resources to cover the need for uniform, technical and specialized equipment and, respectively, shortage of uniforms and equipment.
- decentralization of activities for maintaining and ensuring public order at the level of territorial subdivisions, by consolidating territorial patrol structures;
- assessment of the situation regarding the operationalization of some facilities within the Police (premises for hearing, for identification and meeting with the legal counselor);
- ensuring the presence of the Police in rural areas by increasing the number of patrol and operative reaction teams;
- creation of regional police units;
- staff turnover in the Police;
- increasing the number of outrages of police employees;
- Lack of an updated information system adjusted to the new requirements.

Unlike 2019, in 2020, there was no change of the Cabinet of Ministers, implicitly of the Minister of Internal Affairs. However, in 2020, the GPI had 2 heads, and with the appointment of a new head of the GPI, a new deputy head was appointed. At the same time, according to the GPI response to the request for information submitted, in 2020, 2 officials were replaced in the specialized subdivisions of the GPI, and in the territorial subdivisions - 9 officials, all of them reaching the seniority that allows for the right to retirement. One of them returned to the Police after retirement.

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<sup>13</sup> [2020 Police Activity Report](#), p.32

On the other hand, Promo-LEX monitors in interviews with the leadership of the Police Inspectorates found that at least 19 heads of police inspectorates and 3 deputy / interim heads were appointed during 2020, and 2 heads of police inspectorates have been appointed in 2021. We reiterate that frequent change in the management of GPI subdivisions creates difficulties in the implementation of the activities planned, especially those of a strategic nature.

We emphasize here that at least the mediated case of detachment of the head of Internal Security within the State Protection and Guard Service to the position of head of Dubasari PI, on the eve of the presidential elections<sup>14</sup>, raises concerns about the compliance with the procedures for selecting candidates, especially with the principles of open competition, transparency, meritocracy and equal access to public office with special status.

In addition, we point out that the establishment and continuous maintenance of the moratorium (for the second consecutive year) on employment in the vacancies registered at that time, had a negative influence on the degree of accomplishment of the activities planned. According to the information provided by the GPI, in 2020, a moratorium was imposed on 1122 positions out of the total of 9156 units, or on 12% of the staffing of the GPI. We remind the reader that Promo-LEX recommended to the Government the cancellation of the moratorium on the employment in the budget sector in the vacant positions registered in the GPI. However, the recommendation was not taken into account, including by establishing a moratorium on 2046 positions within the MIA, until December 31, 2021<sup>15</sup>.

With regard to the normative framework, we point out that according to the Law on Carabinieri<sup>16</sup>, on January 1, 2021, the competences of the Police related to the restoration of public order were to be fully transferred to the General Inspectorate of Carabinieri (GIC), being excluded from the Law on Police and the status of the police officer. However, a month and a half after the entry into force of the respective provisions, the Parliament approved Law no. 11 of 12.02.2021<sup>17</sup>, by which the transfer of the respective competences from the police, to the competence of the carabinieri will take place on January 1, 2022. The respective law entered into force on March 11, 2021. Thus, *de jure*, the competences of restoring public order were not under the jurisdiction of the police for two and a half months (from January 1, 2021 to March 11, 2021), and the carabinieri, *de facto*, did not have the opportunity to fully exercise these duties, as according to the informative note to the law, the GIC had half of the necessary staffing. At the same time, we emphasize that the postponement of taking over of these competences is one of the causes of not carrying out some of the activities planned in the Police Development Strategy and Policy Matrix, and it also led to an ineffective accomplishment of remaining competences of the Police.

At the same time, although the draft law<sup>18</sup> that was able to ensure the legal conditions for the regionalization of the Police was submitted in March 2020, its approval was delayed throughout 2020. We note that Promo-LEX transmitted its opinion<sup>19</sup> on the draft law to the profile parliamentary

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<sup>14</sup> [The news](#) regarding the detachment of the head of Internal Security within State Protection and Guard Service to the position of head of Dubasari PI.

<sup>15</sup> [Government Decision](#) no. 942 of 22.12.2020

<sup>16</sup> [Law no. 219](#) of 8.11.2018 regarding the General Inspectorate of Carabinieri, art. 37

<sup>17</sup> [Law no. 11](#) of 12.02.2021 for the amendment of Law no. 219/2018 regarding the General Inspectorate of Carabinieri

<sup>18</sup> [The draft law no. 142](#) of 27.03.2020 for the amendment of the Law on the activity of the Police and the statute of the police officer no. 320/2012

<sup>19</sup> [Promo-LEX opinion](#) on the draft law no. 142 of 27.03.2020 for the amendment of the Law on the activity of the Police and the statute of the police officer no. 320/2012 (art. 15)

committee. On 4.02.2021, being put to the vote, the draft did not acquire the necessary number of votes to be approved in the second reading, respectively, the draft law is considered rejected and cannot be brought back into discussion during the same session<sup>20</sup>. Thus, we find that the implementation of the regionalization of the Police failed in the period 2016-2020 and we consider this case as a proof of **lack of political will to fulfill the commitments undertaken both in strategic documents** and agreements concluded with the development partners.

Following the approval of Government Decision no. 547 of 12.11.2019 regarding the organization and operation of the GPI, 2020 was a year of institutional reorganization. It should be particularly noted that following the approval of this government decision, new organizational structures of the central apparatus and of some specialized subdivisions of the GPI were approved. Although the Progress Reports for the implementation of the PDS specified that the approval of this Government decision conditioned the accomplishment of several activities, including the decentralization of the activities of maintaining and ensuring public order at the level of territorial subdivisions of the Police, in 2020, no efforts were made to reach these objectives. Thus, in this case, we **find a lack of institutional will in relation to the strategic commitments undertaken**.

We draw the reader's attention to the fact that the year 2020 was also marked by the outbreak and spread of the new type of Coronavirus infection and by the declaration of a state of emergency on the entire territory of the Republic of Moldova from March 17 to May 15, 2020<sup>21</sup>. During this period, several measures were instituted to prevent, reduce and eliminate the consequences of the coronavirus pandemic (COVID-19). Of the measures applied, we should mention establishing special country entry and exit regimes, special regimes for movement throughout the country, and the introduction of quarantine in some regions. Thus, the activity of the Ministry of Internal Affairs and, implicitly, of the Police was focused on monitoring citizens' compliance with the measures established by the National Commission for Emergency Situations in the Republic of Moldova. At the same time, due to the pandemic, several activities of the policy documents could not be carried out during this period.

Regarding the actions established in the Action Plan for the implementation of the PDS, it should be mentioned that in 2020, the deadline established for 31 sub-actions within 13 actions of the Action Plan for the implementation of 2016-2020 Police Development Strategy expired. The Policy Matrix set out performance indicators for all nine actions, which were to be reached by the end of 2020, but these were canceled.

Even though it was the last year of Police Development Strategy implementation, no public consultations on the new strategic document for police development for the next period were initiated in 2020. Although Promo-LEX pointed out in its previous reports that the new strategy document needs to be approved well-ahead of January 1, 2021, respecting the decision-making transparency and organizing broad public consultations, it appears that no action has been taken to develop and consult that document.

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<sup>20</sup> Art. 72 of the [Rules of Procedure of the Parliament](#).

<sup>21</sup> [Parliament Decision](#) no. 55 of 17.03.2020 regarding the declaration of the state of emergency

# IMPLEMENTATION OF POLICE REFORM OBJECTIVES FROM THE PERSPECTIVE OF CIVIC MONITORING

## OBJECTIVE 1: Consolidating the responsibility, efficiency, transparency and professionalism of the Police

*Objective 1 has the mission to ensure access to more qualitative police services by enhancing the professionalism, transparency and efficiency of the Police. Quantitatively, it is the objective with the most commitments comprising the largest number of actions (7) and sub-actions (36).*

*In the opinion of the Promo-LEX, of the 36 sub-actions, 8 (22%) have been fulfilled, 13 (36%) - partially fulfilled, 9 (25%) - unfulfilled, and in the case of 6 sub-actions (17%) the Association could not decide given that they are too generally formulated or their indicators are not measurable.*

*It should be mentioned that in 2020, the deadline for 11 (30%) sub-actions expired, of which 3 (27%) were assessed as fulfilled, 3 (27%) as partially fulfilled, and 3 as unfulfilled. Two other sub-actions (18%) could not be assessed by Promo-LEX being too general in their formulation or having immeasurable indicators. At the same time, none of the sub-actions assessed as unfulfilled in the previous reports changed its rating in 2020.*

*It should be noted that the sub-action that had been identified in Report no. 3 as one with a considerable risk of failure (no. 1.6.3 – consolidating operational management by clearly establishing the field in order to create a complex system for decisional support, based on an integrated information system of operational management), in this Report, was qualified as unrealized.*

*With regard to the Policy Matrix, it should be noted that although the performance indicators for 2020 have been canceled, following the actions taken in 2020, the overall share of women and the share of women officers in the Police has increased. Additionally, 373 non-commissioned policemen and carabinieri soldiers were initially trained (remotely), 758 employees of the MIA subdivisions received continuous training, and repair work to ensure the infrastructure of the Joint Law Enforcement Training Center was initiated.*

### *Findings based on Police Development Strategy (PDS)*

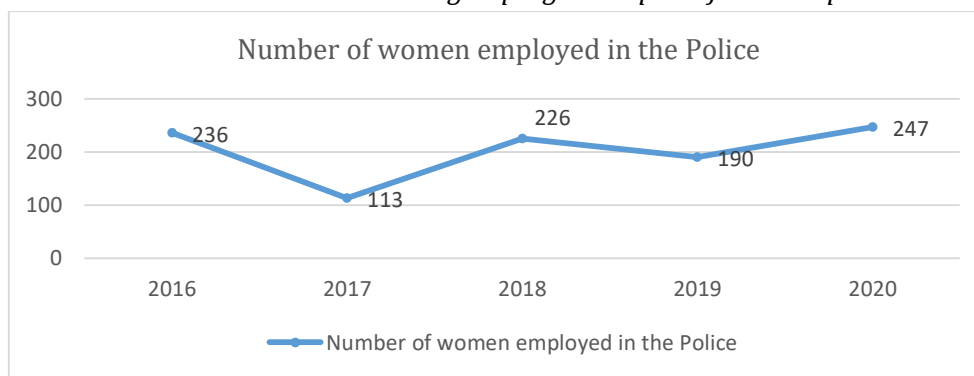
#### **1.1. Transparent system for staff selection and advancement, based on competition and clear staff selection, evaluation and promotion criteria**

##### **1.1.4. Respecting the principle of gender equality in the process of employment and advancement in the Police**

*Performance indicator: Number of women employed in the Police, including leadership positions in positive dynamics*

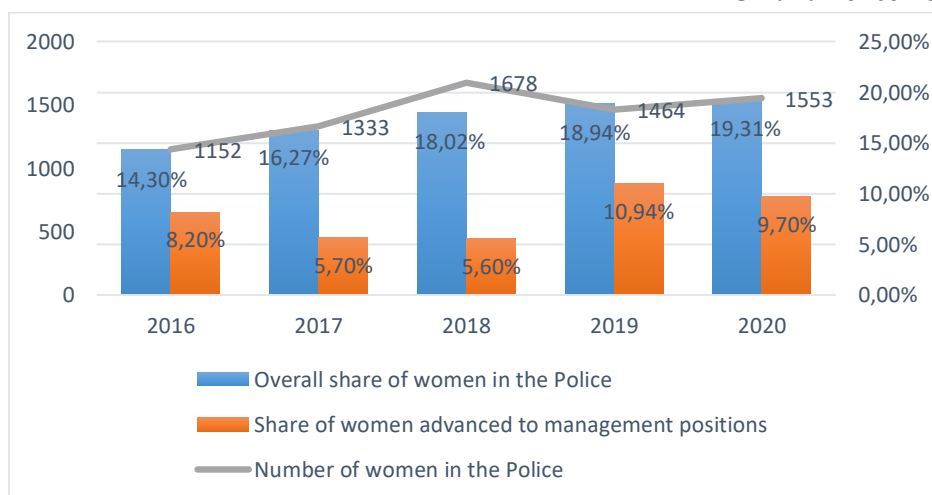
*Timeframe: 2016–2020*

**Chart no. 2.** Number of women employed in the Police, including in management positions, according to progress reports for the implementation of the PDS



Starting from the number of women employed in the Police in 2016, Chart no. 2 shows a slight positive dynamic in the number of women employed in the Police in 2020, both compared to 2019 and to previous years. However, the number of women employed in 2020 is only 11 times higher than in 2016.

**Chart no. 3.** Share of women in the Police and women promoted to leadership positions, according to Progress Reports on the Implementation of PDS<sup>22</sup> and Police Activity Reports



The chart shows an increase in the overall share of women in the Police and a slight decrease, compared to 2019, in the share of women promoted to management positions in 2020. Although in 2020, the share of women in the Police is the highest in the period of 2016-2020, most women worked in the police structures in 2018. Taking into account the reports on the implementation of the PDS, the Promo-LEX Association estimates that in 2016-2020, *the number of women employed in the Police, as well as those promoted to leadership positions has been on the rise, with some exceptions. Thus, starting from the indicator established for this activity, we appreciate sub-action 1.1.4 as being fulfilled.*

*At the same time, we point out that reaching the indicator established for this sub-action does not necessarily mean respecting gender equality in employment and promotion in the Police. We bring as an example the fact that at least in 2020, the Council for the Prevention and Elimination of*

<sup>22</sup> Data according to the progress reports on the implementation of PDS and Police Activity Reports.



*Discrimination and Ensuring Equality found a case of direct gender discrimination in the workplace<sup>23</sup>. Moreover, according to a survey conducted by the Association of Women in Police, 21.3% of women police officers surveyed consider that they have been discriminated. Thus, we recommend to the implementing institutions to continue the efforts regarding the stimulation, support and increase of the number of women in the Police.*

According to the Progress Report on the implementation of the PDS in 2020, the number of women in the Police is **1553** (19.31%), and of men 6489 - 80.69% (3902 officers, 2545 non-commissioned officers, 42 civilian employees). The same statistics with the inclusion of people on childcare leave are as follows: women -1873 (21.88%), men - 6687 (78.12%).

At the same time, at the request of Promo-LEX to provide information on the number of women in the territorial and specialized subdivisions and the central apparatus of the GPI as of 31.12.2020, without persons on maternity and childcare leave, the figure of 1601 (19.91%) women, out of the total of 8040 people was provided. *Thus, Promo-LEX finds a state of uncertainty regarding the real number of employees (women and men) within the police in 2020.*

In addition, we note that in 2020, the Development Partnership Center and UN Women conducted a feasibility study, assessing possible measures for temporary and reasonable accommodation, to promote gender equality in the Internal Affairs and Defense<sup>24</sup> sector. Thus, some findings highlighted for the Ministry of Internal Affairs and subordinate institutions indicate that there are still discriminatory conditions and requirements that disadvantage the employment and / or promotion of women, including pregnant women.

#### **1.1.5. Progressive increase in the share of non-commissioned officers in the Police. Reassessment of the conditions and procedures for recruitment to the positions of officers and of the posts which may be occupied by them**

*Performance indicators: Official statistics on the share of non-commissioned officers in the Police in positive dynamics*

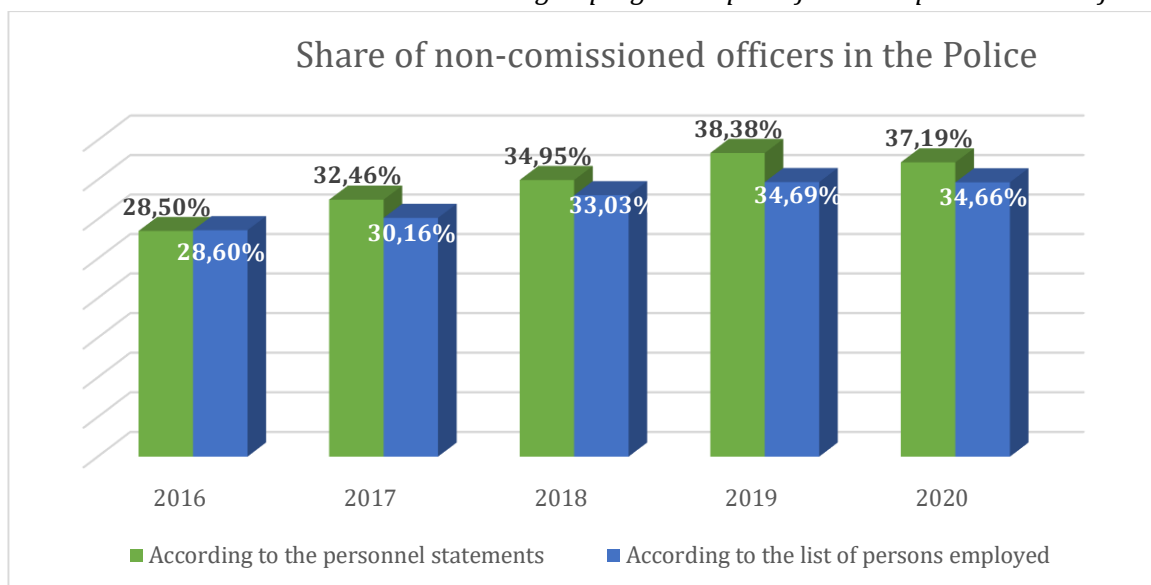
*Timeframe: 2017–2020*

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<sup>23</sup> [Decision](#) of the Council on the Prevention and Elimination of Discrimination and Ensuring Equality of 27 July 2020, Case no. 108/20

<sup>24</sup> [Beyond the Status Quo! Feasibility Study](#) on the implementation of special temporary and reasonable accommodation measures for the promotion of gender equality in the Internal Affairs and Defense sector, developed by the Development Partnership Center in collaboration with the United Nations Organization for Gender Equality and Women's Empowerment.

**Chart no. 4.** Share<sup>25</sup> of non-commissioned officers in the Police, according to progress reports for the implementation of the PDS



According to the chart no. 4, in 2020, there was a 1,2% decrease in the share of non-commissioned officers in the police by 1.2% according to the personnel statements and an increase by 1.81% according to the list of persons actually employed. Comparing the data from the Police Activity Reports for 2019<sup>26</sup> and 2020<sup>27</sup>, we find that the staff of the Police remained the same (9156), but the number of non-commissioned officer positions decreased by 13, the number of civilian positions decreased by 11, and the number of officer positions increased by 24. It is not clear why it was necessary to transform positions of non-commissioned officers and civilian ones into officer positions, given that according to the Strategic Vision to Reverse the Pyramid of Positions; it was intended to transform the positions of officer into non-commissioned officer.<sup>28</sup>

It should be mentioned that in 2020, as in the previous years, the largest shortage of staff was attested among non-commissioned officers (-16.52% in June and -13.41%, in December), as of 31.12.2020 the Police recorded a shortage of 457 positions. Although many non-commissioned officer positions are still vacant, we note that in 2020 compared to 2019, the lack of staff among non-commissioned officers was reduced by about 10%<sup>29</sup>.

*In conclusion, taking into account the increasing share of non-commissioned officers in the police during the implementation of sub-action 1.1.6, we appreciate the sub-action as fulfilled. However, we emphasize the large number of vacancies for non-commissioned officers and the moratorium on vacancies registered in the GPI. Consequently, we recommend the development of policies and*

<sup>25</sup> The share of non-commissioned officers is calculated from the total number of GIP staff, which includes police positions of non-commissioned officers and non-commissioned officers and civilian positions.

<sup>26</sup> In 2019, according to the personnel statements, the staff of the Police constituted 9156 positions, out of which 5485 police positions of officers, 3419 police positions of non-commissioned officers, 252 civilian employees.

<sup>27</sup> In 2020, according to the personnel statements, the staff of the Police constituted 9156 positions, out of which 5509 police positions of officers, 3406 police positions of non-commissioned officers and 241 civilian employees.

<sup>28</sup> The vision of reversing the pyramid of positions (MIA Provision no. 10/441 of 17.03.2017), expressly provided that the change in the ratio of officers / non-commissioned officers of 40% / 60%, will be made gradually, as the vacancy appears (including in connection with retirement) by transforming them into non-commissioned officers. This involved the annual transition of 675 units from officers to non-commissioned officers.

<sup>29</sup> In 2019, the lack of staff among non-commissioned officers was -22.71% in June and -22.87% in December)

regulations that ensure both the reversal of the positions pyramid and the filling of vacancies, especially in the positions of non-commissioned officers.

### **1.3. Promoting the principles of transparency in the decision-making process**

#### **1.3.3. Development of a mechanism for interaction with civil society and identification of mechanisms for civil society control over Police actions**

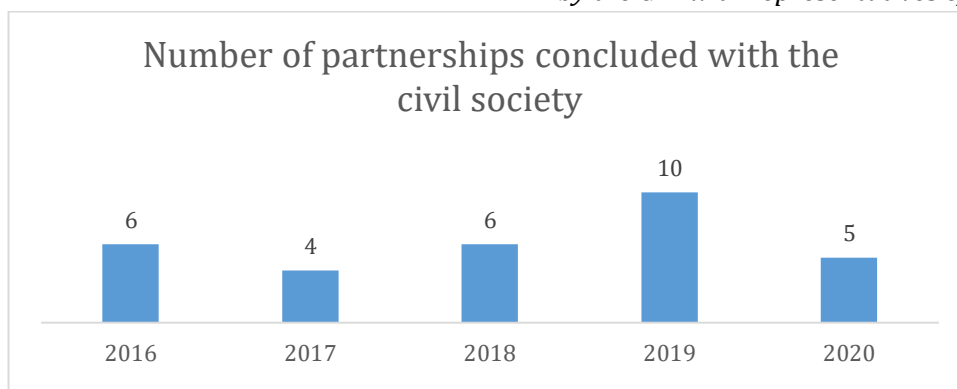
*Performance indicators: Partnerships created; the process of transparency in the activity of the Police ensured*

*Timeframe: 2016–2020*

According to the Progress Report on the implementation the PDS, 12 collaboration agreements were concluded in 2020 with economic agents, public institutions or public associations. Of these, 5 agreements were concluded with representatives of civil society. Thus, GPI concluded agreements with “Applied Didactics” JSC, “Automobile Club of Moldova” JSC, ‘Memory’ Rehabilitation Center for Victims of Torture, ‘La Strada’ International Center and Transparency International-Moldova.

Also, the territorial subdivisions of the police concluded 74 collaboration agreements with local public authorities (in community policing) and 165 agreements with other entities (crime prevention, juvenile delinquency and domestic violence).

**Chart no. 5.** *Number of partnerships concluded by the GPI with representatives of civil society*



Taking into account the above and the existing COVID 19 pandemic, the Promo-LEX Association appreciates the efforts and openness of the GPI to cooperate with the civil society.

At the same time, according to the Progress Report on the implementation of 2020 PDS, the mechanism for interaction with civil society was created by the order of the Ministry of Internal Affairs no. 547 of 30.12.2020, which provides for the establishment of a Civil Council for cooperation and consultancy within the Ministry of Internal Affairs. The creation of the mechanism for interaction with civil society aimed at establishing cooperation between the subdivisions of the central apparatus, administrative authorities and institutions subordinated to the Ministry of Internal Affairs and the civil society, as well as stakeholders in the development, implementation, monitoring and evaluation of public policy documents within their competence, including the actions of the Police.

However, following the subsequent communication with the MIA representatives, it was found that the MIA Order 547/2020 of 30.12.2020 is in the process of adjustment and it will be completed with the approval of the draft Regulation of the Civil Council for cooperation and monitoring of MIA

activity. Thus, we find that even by the end of 2020, civil society control mechanisms over the Police have not been developed and implemented. In conclusion, starting from those mentioned above and taking into account the existing indicators, as well as the activity proposed for implementation, **we qualify sub-action 1.3.3. as partially fulfilled.**

#### **1.4. Reorganization of the system of maintaining, ensuring and restoring public order**

##### **1.4.3. Decentralization of activities for maintaining and ensuring public order at the level of territorial subdivisions of the Police**

*Performance indicators: adjusted regulatory framework for maintaining and ensuring public order, Enhanced capacities of the territorial subdivisions for maintaining and ensuring public order*

*Timeframe: 2016–2017*

Following the approval of the Government Decision no. 547 of 12.11.2019 on the organization and operation of the GPI<sup>30</sup>, the General Directorate of Public Security and the National Patrol Inspectorate merged into the National Inspectorate of Public Security (NIPS). However, the Regulation on the operation of the GPI NIPS was approved only in August 2020.

At the same time, according to the Progress Report on the implementation of the PDS in 2020, after the reorganization, regional directorates (North<sup>31</sup>, Center<sup>32</sup>, South<sup>33</sup>), responsible for prevention, detecting of crimes and ensuring public order and security at the territorial level were created within the specialized subdivisions subordinated to the GPI (NIPS, NII) in the period of November – December 2020. We note that regional subdivisions existed within the specialized subdivisions until the reorganization of the GPI.

The 2020 Police Action Plan provided for the implementation of activities aimed at decentralizing the activities of maintaining and ensuring public order at the level of territorial subdivisions of the Police<sup>34</sup>. By June 2020, the organizational structure was to be reviewed, the normative framework of operation to be modified and the capacities for maintaining and ensuring public order in territorial profile to be developed. However, it seems that these actions did not take place in 2020. Moreover, even in the 2020 Police Activity Report<sup>35</sup>, the decentralization of activities of maintaining and ensuring public order was indicated as one of the issues.

Promo-LEX mentions that it requested information from the GPI on the decentralization of law enforcement activities at the level of territorial subdivisions, including on the competencies transmitted to the territorial subdivisions, following the reorganization. In its response, the General Inspectorate of Police mentioned that in 2020, by implementing the staff of the NIPS and changing the organizational structure of the subdivisions subordinated to the GPI, the service of economic fraud investigations within the PI was reduced, increasing the structure of the Patrol and Rapid Response Unit (PRRU) of the Chisinau PD by 90 units, etc.). At the same time, later, 5 positions necessary to consolidate the functional capacities and ensure the operative reaction to the

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<sup>30</sup> [Government Decision no. 547](#) of 12.11.2019 on the organization and operation of the GPI.

<sup>31</sup> By GIP Order no. 408 of 15.12.2020 the Regulation of the “North” Patrol Directorate of NIPS was approved

<sup>32</sup> By GIP Order no. 344 of 03.11.2020, the Regulation of the “Center” Patrol Directorate of NIPS was approved

<sup>33</sup> By GIP order no. 407 of 15.12.2020, the Regulation of the “South” Patrol Directorate of NIPS was approved

<sup>34</sup> 2020 Police Action Plan, approved by GIP Order no. 29 of 24.01.2020, point 6.2.

<sup>35</sup> 2020 Police Activity Report, p. 32

emergency calls were created within PRRU. Thus, we find that the reorganization changes of the GPI subdivisions that took place in 2020, did not aim to decentralize the activities of maintaining and ensuring public order.

We draw the reader's attention to the fact that in the context of presenting and discussing the projects for modifying the subordinated and territorial structures of the Police (NIPS, NII, territorial subdivisions), the Promo-LEX Association sent its opinion<sup>36</sup> to the General Inspectorate of Police in February 2020. It expressed the uncertainty as to whether "*decentralization will be achieved following the implementation of the new organizational charts, or, on the contrary, regional control will be imposed at primary territorial level (police department, police inspectorate)*". Thus, it seems that the uncertainties and concerns expressed in the opinion and in the public consultations were not taken into account.

*Taking into account the above, we consider that **the reorganization carried out did not result in decentralization of activities of maintaining and ensuring public order, but on the contrary, lead to the centralization of those activities.** Thus, the Promo-LEX Association still considers this sub-action **unfulfilled**. In this regard, we recommend to the implementing institutions to make the necessary efforts in order to carry out sub-action 1.4.3 effectively.*

We remind you that according to the Progress Report for the implementation of the PDS, on March 29, 2019, in the meeting of the Operational Council, the following proposals to optimize the services subordinated to the GPI were submitted:

- presentation of the concept of reorganization of the activity of the Isolation and Escort Service;
- presentation of the vision of reorganization of the territorial and regional operational management services;
- optimizing the activity of transport and road accident surveillance services;
- developing a standard structure of the police inspectorate in the perspective of decentralization of patrol and operational respond units.

To observe whether the actions proposed in 2019 regarding the territorial subdivisions were implemented in 2020, Promo-LEX monitors conducted a series of interviews with the management of these subdivisions or the persons designated by them.

When asked if something has been done in 2020 with reference to the standard structure of the police inspectorate in terms of decentralization of patrol and operational response structures, out of 42 respondents, 25 (59.5%) gave a positive answer and 16 (38%) - a negative answer, and one person refused to answer the question. At the same time, when asked what had been done, 13 respondents out of the 25 stated that patrol and operational reaction teams were set up / formed (including joint patrol teams and those made up of road accident employees and district police officers).

However, at least 4 respondents mentioned that joint meetings are held with NIPS, but they were insufficient. Moreover, due to the fact that the NIPS employees who participate in the operative response activities are not subordinated to the police inspectorate, some divergences appear. And another 4 respondents mentioned that as long as no competences were given from NIP to the territorial subdivisions, there would not be effective results.

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<sup>36</sup> The opinion was drafted and transmitted in the context of a round table organized by the management of the GIP on February 7, 2020. In it, the GIP presented to the development partners and to some partner organizations from the civil society the vision and the GIP with reference to the organizational structure of NII and NIPS.

At the same time, when asking those who mentioned that nothing was done for decentralization in 2020, why is this action was omitted:

- 3 respondents stated that there was no will at the central level, or there were "interests";
- 4 did not want to answer or mentioned that the situation did not change;
- 5 mentioned that there is no collaboration or co-operation with NIPS, even if joint meetings are held, they would have no effect. In addition, the NIPS have the routes indicated by their management, without taking into account the specific problems and areas that are recommended by the territorial subdivision.
- Other people mentioned as factors that led to the omission of decentralization, the pandemic, the insufficiency of financial resources, the human factor, the insufficiency of training and equipment, etc.

*In conclusion, the need to decentralize the activities of maintaining and ensuring public order is mostly felt in the territorial subdivisions of the police, compared to the central apparatus of the GPI and the specialized subdivisions. At the same time, the reorganizations (of modifying the organizational structure) carried out within the specialized subdivisions, without taking into account the needs of the territorial subdivisions (the competencies to be transmitted), further divide the police structures.*

#### **1.4.7. Creating the appropriate conditions for the continuous training of the staff specialized in maintaining public order**

*Performance indicators: Developed infrastructure; adequate conditions for continuous training*

*Timeframe: 2017-2020*

By Government Decision no. 429 of 24.06.2020 "On the organization and operation of public educational institutions subordinated to the Ministry of Internal Affairs", the Joint Law Enforcement Training Center merged with the "Stefan cel Mare" Academy under the Ministry of Internal Affairs.

According to the Progress Report for the implementation of PDS in 2020, capital repairs are currently being carried out in the buildings located on the territory of the "Stefan cel Mare" Academy, 7 Sf. Vineri Street, (Chisinau municipality) which will accommodate the Joint Law Enforcement Training Center **(study block and dormitory intended for the accommodation of GPI employees who are to participate in initial and continuing training courses).**

It should be mentioned that, in 2020, the Joint Law Enforcement Training Center (JLETC) of the "Stefan cel Mare" Academy received donations from UNDP and the US Government, in the form of a batch of equipment, totaling over 73 thousand US dollars. The batch contains individual and group equipment: face shields, anti-stabbing vests, metal detectors, tactical belts, mannequins and other special means that will be used during training and practical lessons.

At the same time, being asked about the conditions created for the continuous training of the units specialized in maintaining public order and the developed infrastructure, the implementing institutions communicated that starting with March 2020, most trainings with physical presence were suspended. Consequently, alternative tools for training police employees have been applied, using online training platforms. In this sense, the GPI obtained 5 "ZOOM" licenses for different subdivisions of the police.

With regard to the development of physical infrastructure, intended for the tactical training of police employees, GPI said that they remained at the level of 2019. The available financial resources were directed in order of priority in preventing and combating the negative effects of the COVID-19 pandemic and finishing the reconstruction of the previously initiated objectives.

We remind the reader that in 2019, an outdoor football field was built on the territory of 'Stefan cel Mare' Academy of Police, and a running track was set up on the territory adjacent to it, the rehabilitation of the park and the access roads to it; the sports hall was renovated, a kitchen and living room was repaired and rebuilt. Also, during 2019, the capital reconstruction work of the Dynamo sports pool continued. The Promo-LEX Association mentions that in the previous progress reports it was noticed that with the creation and development of JLETC (2019–2020), adequate conditions will be created for the continuous training of the staff of the units specialized in maintaining public order.

*Regarding the infrastructure of the JLETC, we find that it was not developed until the end of 2020 - the work in the study block and the dormitory for accommodation are still underway<sup>37</sup>, and the work for the construction and arrangement of the training grounds have not even started. At the same time, the existing conditions cannot be considered adequate for the training of the staff of the units specialized in maintaining public order. Before the beginning of the pandemic, the training of police employees was carried out on the platforms offered by the profile subdivisions of the Ministry of Internal Affairs – Dynamo sports swimming pool, the training institutions of the border police and the 'Stefan cel Mare' Academy of the Ministry of Internal Affairs. Thus, we qualify **sub-action 1.4.7. as unfulfilled**.*

We remind you that in Report no. 3 of civic monitoring of the Police Reform, Promo-LEX emphasized the risk of non-implementation of this sub-action, in connection with the delay in the development of JLETC infrastructure.

#### **1.4.8. Consolidating the intervention capacities by equipping with special equipment and technology the subdivisions of the Police responsible for maintaining and ensuring public order**

*Performance indicators: Needs assessment report prepared; special equipment and technology purchased*

*Timeframe: 2017–2020*

According to the Report on the implementation of the PDS, in 2020, the following results were achieved:

- approved the Norms for endowment with armament, equipment and special means of the patrol and operative response services, of the district officers and of the special vehicles of the Police (GPI Order no. 382 of 27.11.2020);
- concluded more than 20 contracts for the purchase of police equipment, including intervention equipment.
- procured and distributed to the subordinated subdivisions of the GPI 170 terminals of various models: Portable terminals - 10, Tetra terminals -130, Tetra Stationary radio terminals -30.

The police subdivisions that carry out missions to reduce the number of road accidents and increase the quality of their documentation were equipped with 21 devices for measuring alcohol in expired

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<sup>37</sup> See Objective A.1.2 set out in the Policy Matrix.

air (drager) and 13 speed measuring devices (TruCam2). The technical-forensic center for forensic expertise was equipped with 16 forensic kits for picking up traces of shoes with static electricity. The police subdivisions were provided with 202 workstations (computers) offered to employees of crime investigation departments, 190 workstations and 50 printers offered to employees of criminal investigation departments, 99 workstations offered to district police departments, 53 workstations and 20 HDD pieces for the subdivisions of the General Inspectorate of Police.

Following the request for information submitted to the implementing institutions, the GPI informed us that the share of endowment with special equipment and technique of the police subdivisions responsible for maintaining and ensuring public order has not been established. At the same time, being requested the information on the special equipment and technique that is most needed in the police subdivisions and the results on the intervention capacity, the GPI communicated that “The technical-material supply department was formed in March 2019, together with the subdivisions of the GPI, and until presently, it has not been possible to establish any data in this regard, which has led to the lack of the necessary information”.

In this regard, we remind you that Promo-LEX recommended in Report no. 3 for civic monitoring of the Police Reform, to carry out an annual assessment of the share of effective endowments with special equipment and technique of the GPI employees, allocation of sufficient financial sources to ensure complete endowment with uniform of territorial subdivisions and clear assessment of police personnel needs.

Taking into account the acquisitions and endowments made in 2016–2020, Promo-LEX requested the opinion of the management of the territorial subdivisions or the persons designated by them, regarding the endowment with special technique and equipment of the territorial subdivisions at the end of 2020. Analyzing the answers given (Annex no. 1), Promo-LEX notes that the endowment level of the territorial subdivisions is different: from 10% -20% within Floresti PI, Botanica PI (Chisinau), Telenesti PI and Causeni PI to 90% -100% in Cantemir PI, Cimislia PI, Orhei PI, Comrat PI, Bender PI, Buiucani PI (Chisinau), Edinet PI. We admit that the opinions expressed in the interviews could contain a dose of subjectivism. However, *we consider that the shortages of the territorial subdivisions, which have a direct impact on the efficiency of their activity, must be examined by the General Inspectorate of Police in detail and, where appropriate, covered as a matter of priority.*

We note that when asked about the greatest needs for special equipment and technology, most respondents mentioned the need to supplement / replace the number of computers (22<sup>38</sup>), provide video and audio recording equipment for special investigations (9), provide with transport units (7), GPS (6), printers (5) etc. The specific equipment and technical requirements stated by the interview participants for each police inspectorate are set out in Annex 1.

*Taking into account the acquisitions of special equipment and technology made in 2016-2020, Promo-LEX appreciates the efforts made to ensure the subdivisions with the respective endowments. However, taking into account the fact that a needs assessment report has not been prepared, as well as the absence of a report denoting the percentage value of the endowment level by the implementing institution, as previously recommended, **the Association cannot decide the degree of fulfillment**, the sub-action being formulated too generally, and the performance indicator being immeasurable.*

## **1.5. Consolidating the capacity of the Police to ensure road safety**

### **1.5.2. Improving the quality of documentation of road accidents resulting in casualties**

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<sup>38</sup> Number of respondents



*Performance indicators: Statistical data on the quality of road accident documentation in positive dynamics; purchased equipment*

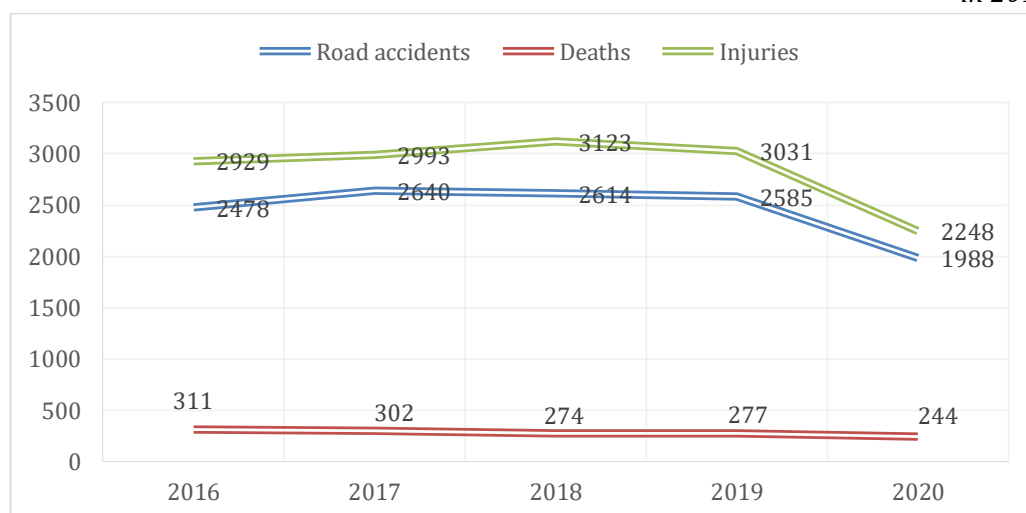
*Timeframe: 2017–2020*

According to the Informative Note on the number of accidents prepared by NIPS<sup>39</sup>, in 2020, 1988 road accidents were registered, which caused the death of 244 people and injuries of 2248 people. Thus, compared to the previous year, in 2020, there were 23% fewer accidents, 11.9% fewer deaths and 25.8% fewer injuries.

Compared to 2019, we can deduce that in 2020, the reduction in the number of accidents could be due to the state of emergency established throughout the country in the period between March 17 and May 15, 2020<sup>40</sup>, and implicitly due to the special traffic regime in the country. Thus, in April - May 2020, the number of road accidents decreased by 59% (133 cases) and 45% (103 cases) respectively compared to the analogous period of the previous year.

Of the total number of road accidents recorded during the reporting period, 150 road accidents were classified as serious and minor, resulting in the death of 22 and the trauma of another 179 people.

**Chart no. 6.** *Number of road accidents, deaths and injuries in 2016–2020<sup>41</sup>*



Additionally, compared to 2016, in 2020, there is a decrease in all departments: by 24.6% in the number of road accidents, by 19.2% in the number of deceased persons and by 24.9% in the number of injuries.

At the request for information addressed by Promo-LEX to the GPI on the number of reports finding road accidents referred to courts in 2020 and the number of reports annulled by the court, it was communicated that **14,286** reports were drawn up for contravention based on art. 242 para. 1) and para. 2), of these, **482** reports were sent to the courts and **22** were shelved.

<sup>39</sup> [Informative note](#) on the number of accidents in the 12-month period of 2020

<sup>40</sup> [Parliament Decision no. 55](#) of 17.03.2020 regarding the declaration of the state of emergency

<sup>41</sup> Source: [Informative note](#) on the number of accidents in the 12-month period of 2020

**Table no. 1.** Number of contraventions registered under to art. 242 of the Contravention Code, of the reports relegated to the courts and, respectively, of those shelved, according to the data provided by the GPI

Year	Number of registered contraventions	Number of reports relegated to courts	Number of shelved reports
2017	18 934	789 (4,16%)	128 (16,22%)
2018	18 446	755 (4,08%)	52 (6,88%)
2019	18 163	182 (1%)	3 (1,64%)
2020	14 286	482 (3.37%)	22 (4.56%)

Analyzing the data presented in the table, the Promo-LEX Association can conclude that there is a decrease in the number of contraventions registered, but the share of reports relegated to courts and the share of shelved reports increased compared to 2019.

At the same time, according to the informative note on the number of accidents in the period of 01.01.2020 - 31.12.2020<sup>42</sup>, of the total of 1988 road accidents, criminal cases were filed in 740 cases, (19% less than in the previous year). Thus, following the necessary criminal investigation actions, 629 criminal cases were sent to the prosecutor's office, with the proposal to end the criminal investigation (85%), **and the criminal investigation of 541 cases was completed.** Of these:

- 285 cases (52%) are **relegated to courts**,
- 199 cases (36.8%) are **closed**
- 57 cases (10.53%) are **shelved**.

We point out that in previous years, the General Inspectorate of Police avoided reporting information on the number of criminal cases terminated and shelved, including in the case of filing requests for information. For this reason, we cannot conclude on the evolution of the number of criminal cases terminated and shelved in 2017-2020.

In addition, in 2020, of 76 road accidents resulting in serious consequences (23 deaths, 65 injuries), where the perpetrators left the crime scene, in 58 cases the culprits were established, which is 83.33%, and in **18 cases** (6 deaths and 12 injuries) - the perpetrators have not yet been identified.

We note that in the PDS Implementation Report, the purchase of equipment was not reflected, although the performance indicator provides for it. Likewise, when asked about the equipment purchased in 2020 to improve the quality of documentation of road accidents resulting in casualties, the implementing institution failed to provide information in this regard.

*Taking into account the above, the Promo-LEX Association appreciates the decrease in the number of contravention reports annulled by the court every year. At the same time, the omission of the purchase of equipment to improve the documentation of road accidents makes to qualify **sub-action 4.1.4. as partially fulfilled.***

#### **1.5.6. Improving the management of road accident documentation through the use of information technologies**

<sup>42</sup> [Informative note](#) on the number of accidents in the 12-month period of 2020

*Performance indicator: Management of road accident documentation provided through the use of information technologies*

*Timeframe: 2018–2020*

According to the Progress Report on the PDS Implementation, 3 training sessions were held in 2020 training 448 employees to use laser equipment to measure the speed of vehicles in traffic. In addition, the Police was equipped with 21 devices for measuring alcohol in expired air (Drager) and 13 speed measuring devices (TruCam2). At the same time, it is planned to purchase 4 patrol cars fully equipped with mobile systems (laptop, software, radar, dredger, first aid kit) and special equipment sets (blue light system, bulletproof vests, first aid kits, etc.) in the amount of 150,000 euros within the 2014-2020 Romania-Republic of Moldova Joint Operational Program.

We mention that similarly to 2019, the implementing institutions did not reflect in the Progress Report on the implementation of the PDS the information on documenting road accidents through the use of information technologies.

Moreover, receiving the request for information submitted by Promo-LEX, GPI avoided to provide information on technologies used to document road accidents and the system for documenting road accidents. Only in the evolution report on the quality management of road accident documentation, the GPI presented the information on the number of records for contraventions annulled by the court<sup>43</sup>.

We remind the reader that according to the progress report on the implementation of the PDS, in 2017, the QuickMap 3D equipment was purchased to improve the quality of documenting road accidents. The QuickMap 3D field data collection software (QM3D) gives the finding agents the flexibility to map the scene and location of the accident. This instrument was to be applied after the approval of the purchased instrument. It is not clear whether by 2020, the purchased instrument has been approved and used.

We remind you that according to the Strategic Development Program, the expected result was a road accident documentation system through operationalized information technologies and 100% employees of the road traffic safety subdivisions trained in the application of the new operational model.

At the same time, in the Report No. 3 on civic monitoring of the Police Reform, GPI highlighted that the implementation of new technologies involves long stages of study, piloting, testing and assessment of the need to expand with such equipment at all Police levels, and actions taken during the previous years ( including the endowment with forensic equipment and kits and the purchase of two devices for mapping the scene and the place of the accident) expresses the commitment to assume transformations.

*Taking into account the above, we find that **sub-action no. 1.5.6. was not fulfilled** by the end of 2020.*

In addition, in order to observe how the quality of road accident documentation in the territory has changed, the Promo-LEX monitors asked questions in this regard, during the interviews conducted with the management of the territorial subdivisions, or with the persons designated by them. Thus,

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<sup>43</sup> See Table no. 1

when asked if the road accident documentation management improved in the period of 2018-2020, of 38 respondents<sup>44</sup>, 24 (63%) gave affirmative answers, and 14 (36, 8%) - negative. At the same time, being asked how it has improved, the following was mentioned:

- The legislation in the field has improved, the Contravention Code has been amended and the medico-legal results are recognized and framed in the legal norms;
- The legal framework for the amicable settlement of road accidents has been approved, which facilitates the activity of police officers (3);
- Standard operational procedures for documenting road accidents have been developed (4);
- Equipment has been improved (Drager equipment, car equipment) (3);
- Training has been conducted to consolidate documentation capacity (4);
- The application for verifying driving licenses has been improved;
- All accidents are entered in an electronic database (RAR Police Local), there is a strict record of the number of accidents, of traumatized and deceased people.
- The reaction has increased due to the establishment of Rapid Response teams.
- Documentation takes place by performing expertise, taking biological samples.
- By applying new documentation methods and using information technologies.

At the same time, some of the respondents who claimed that the road accident documentation management has improved, as well as the respondents who denied this fact, specified the problems related to road accident documentation and provided some solutions to improve the accident documentation management.

**Table no. 2**

<b>Problems related to the documentation of road accidents</b>	<b>Solutions</b>
<ul style="list-style-type: none"> <li>- Insufficient human resources / lack of qualified staff / insufficient training of employees / fulfilment of duties in 24-hour shifts;</li> <li>- Accident documentation management was destroyed</li> <li>- accident documentation positions were assigned to patrol officers within the PI, who in addition to their core duties also have responsibilities for documenting road accidents / improper duties in the service (2)</li> <li>- Although the standard operating procedure has been approved, there is no legal basis for drawing up an accident sketch.</li> <li>- Lack of equipment - the documentation of road accidents is still carried out using a notebook, pen and measuring tape / further maintenance of the manual record (3);</li> <li>- Lack of transport facilities for evacuating cars involved in accidents;</li> <li>- Long response time (2) which allows the guilty person to hide some details, leakage of information.</li> <li>- inexperience of employees with responsibilities for taking emergency calls</li> <li>- Superficial field research.</li> </ul>	<ul style="list-style-type: none"> <li>- implementation of the QMap scanning system. It would allow the accident site to be scanned and show the culprit of the accident in an online mode. Although this system exists, it is not implemented because those who should be using it have not been trained to use it.</li> <li>- Providing new technologies (e.g. the drone could be used to estimate the speed, distance and impact) / equipping with modern documentation tools (2)</li> <li>- Raising the level of professional training (2)</li> <li>- development of standard operational procedures on documenting road accidents.</li> </ul>

<sup>44</sup> This question was not answered by the Police Inspectorates subordinated to Chisinau PD (5 PI) because the competences for documenting accidents are regionalized in Chisinau PD, instead the list of respondents included Chisinau PD.

At the same time, being asked if information technologies are used to document road accidents, and in the case of a positive answer, what are these technologies, the respondents provided the following answers:

- 16 - stated that information technologies are used (telephone, video camera, Drager, electronic meter, standard electronic form, databases: RAR Police local" - the common database in which road accidents are entered (3), State Register of Road Accidents, Driver Verification Information System (2), E-data, E-base, Casper, ACCESS.
- And 22 denied their use.

*Starting from the answers of the representatives of the territorial subdivisions, we consider that their needs and suggestions should be taken into account when elaborating strategic documents or activity plans of the Police and procurement plans.*

## **1.6. Increasing the efficiency of the Police by applying the concept of equal performance**

### **1.6.1. Improving the infrastructure and logistical capacities of the Police to fulfill the duties established by law**

*Performance indicator: Developed infrastructure*

*Timeframe: 2017–2020*

According to the Progress Report on the implementation of the PDS, in 2020, the following results have been achieved:

- 19 police departments from the Police Inspectorates of Ceadir-Lunga, Dubasari, Bender, Vulcanesti, Soldanesti, Floresti, Stefan Voda, Causeni, Briceni, Cantemir, Singerei, Calarasi, Drochia, Glodeni, Soroaca and Comrat have been put into operation.
- the headquarters of the police departments PD3 Dubasari, PD2 Criuleni, PD1 Ocnita, PD5 Drochia have been modernized.
- the process of capital reconstruction of 2 headquarters of the police departments in the country has been started: Egorovca PD (Falesti) and Cahul PD <sup>145</sup>. Completion of repair work and full operationalization of the objectives is planned by the end of the first half of 2021.
- the reconstruction process of 3 Provisional Detention Isolators (PDI) (in Balți, Comrat and Soroaca) has been completed. In addition, the conditions at PDI in Anenii Noi and Criuleni have been renewed, in order to meet the minimum requirements of the national and international standards.

In the interviews with the management of the territorial subdivisions of the GPI or the persons designated by them, being asked about the modernization work carried out in 2020, 42 respondents stated that modernization work has been initiated or carried out at the premises of 19 (45, 2%) police inspectorates<sup>46</sup>, respectively, in 23 (54.7%) police inspectorates no modernization work was carried out.

Among the modernization work initiated and carried out in 2020, the following has been mentioned:

- Cosmetic repairs of the headquarters of Hincesti PI;
- Roof repairs at Botanica PI<sup>47</sup>;

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<sup>45</sup> Within the external assistance project "Support for the reform of law enforcement institutions in Moldova", implemented by UNDP and funded by the US Embassy in the Republic of Moldova.

<sup>46</sup> Without modernization work on police stations or pre-trial detention facilities located in the same premises.

<sup>47</sup> The repair of the roof started in December 2020, and until the date of the visit of the Promo-LEX monitor, it was not ready, and it periodically rained in the headquarters of the PI.

- Repeated roof repairs at Rezina PI, following a fire<sup>48</sup>;
- Paving the yard, repairing the former PDI, its spaces being transformed into offices for the criminal investigation section, changing the windows at Ștefan-Voda PI;
- Repairs of the premises for storing crime corps and the special media at Ocnita PI;
- Repairs of an office and corridors within Orhei PI;
- Renovation of the halls and the canteen within Soroca PI;
- Repairs of three entrances to Ialoveni PI;
- Modernization of offices at Calarasi PI;
- Changing the boilers for the supply of thermal energy, modernizing some offices, arranging some premises for the archive instead of the former isolator, at Straseni PI.
- Replacing the heating system in Bender PI and Cimișlia PI;
- Replacing the windows and the heating system at Rascani PI, Chisinau;
- Replacing windows at Buiucani PI, Chisinau;
- Replacing windows and repairing the entrance to Ungheni PI.
- Replacing windows and doors at the entrance to Ciocana, PI Chisinau.
- Renovation of bathrooms at Dubasari PI;
- Repair of the sanitary group, repair of 6 offices for the investigation section within Anenii Noi PI;
- Modernization of the sanitary groups, modernization of the office of the head of the Nisporeni PI.

At the same time, being asked what other infrastructure work would be needed, the respondents mentioned: repairs of offices (12), repairs of the entire headquarters of PI (8), repairs of the gym (6), repairs of the guard unit (6), change of power network (5), roof repairs (5), heating system change (4), arranging special premises for hearing, person's recognition, meetings with the counselor, a waiting room (2). The infrastructure needs specific for each inspectorate are presented in Annex no. 2.

*The Promo-LEX Association appreciates the efforts of the implementing institutions for the development of the Police infrastructure. However, due to the general formulation of the sub-action and the performance indicator being immeasurable, **it cannot decide on the degree of fulfillment of sub-action no. 1.6.1.***

*Moreover, in the previous reports, we highlighted that a large number of sub-actions under the PDS Implementation Action Plan (1.4.8, 1.5.5, 2.1.3, 3.1.1, 3.1.7, 4.1.5, 4.2 .5, 4.2.8) refer to the development of infrastructure, the acquisition of equipment and special means, respectively, the same acquisitions and / or activities are reported as carried out under the same sub-actions. At the same time, in relation to the infrastructure of the territorial subdivisions, we recommend both the GPI and the MIA, to examine the needs highlighted by the interviewees and to identify priorities and solutions for them.*

## **1.6.2. Elaboration of standard operational procedures for the activity of the Police**

*Performance indicators: Standard operational procedures developed, approved and applied  
Timeframe: 2017–2020*

According to the Progress Report on the implementation of the Police Development Strategy, five standard operational procedures (SOPs) have been approved in 2020, in addition to the 93

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<sup>48</sup> The roof renovation at Rezina PI took place in 2019.

procedures approved before 2020. At the same time, another 4 existing procedures have been reviewed.

The procedures approved and revised in 2020, aim at:

- prevention of contamination and spread of COVID-19, among the police force that responds to emergency calls;
- hearing the participants in the criminal proceedings;
- primary investigation of the act of violation of traffic safety rules or of operation of means of transport;
- management of corporate e-mail (Zimbra) within the GPI subdivisions and institutional communication;
- detention, escort and transportation of the person, and placement of the detained person in the PDI;
- integrity warnings<sup>49</sup>.

**Chart no. 9. Number of operational procedures in 2016-2020**



Analyzing the chart above, we find that most operational procedures were approved in 2017, and in 2019 and 2020 some of them were revised.

We recall that in the previous Report on civic monitoring of the Police reform, Promo-LEX highlighted that in addition to elaboration and approval, standard operational procedures also need to be applied. Monitoring of their uniform application must be ensured by the management of the respective subdivisions. At the same time, to streamline and stimulate the application of SOPs, it was recommended to establish a mechanism to verify the application and knowledge of SOPs by the responsible persons, as well as appropriate reporting by the implementing institutions of the application of those procedures.

Following the request for information submitted by Promo-LEX, the GPI informed us through its response of 31.03.2021 that the mechanism for verifying the knowledge of the normative acts regulating the activity of the Police is regulated by MIA Order no.114 of 4 May 2017 "On the approval of the Regulation on continuous professional training of civil servants with special status within the MIA". Thus, standard operating procedures are made known to employees either through professional training sessions or through specialized operational sessions organized for the target groups. Employee training is carried out within the subdivision in various ways, in the form of tests or by simulating situations and practical learning of intervention procedures. At the same time, at the end of the SOPs, they are included in the assessment tests carried out by the departments of

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<sup>49</sup> The respective procedures have been developed within the project "Promoting the activity of Police based on human rights in the Republic of Moldova", [in the manual of Standard Operating Procedures for Police - a human rights-based approach](#), including in the SOPs aimed at providing health care and ensuring the right to an interpreter or translator for persons detained, transported, escorted and detained in PDI.

professional training, where each employee of the Police is evaluated according to the assessment criteria developed.

In addition, Promo-LEX requested the opinion of the management of the territorial subdivisions on the quality and quantity of SOPs developed by the central apparatus of the GPI. Thus, the results of the interviews are presented below:

- According to all respondents, the standard operational procedures, developed during 2016-2020, were brought to the attention of the employees. At the same time, regarding the way of informing, at least 12 employees mentioned that trainings are carried out, but they differ from one PI to another. In some cases, the procedures are brought to the attention of the heads of divisions, and they inform the subordinates, in other cases, weekly meetings are held in which some operational procedures are taught and reminded, and in other cases, they are communicated individually.
- All respondents qualify the number of POSs as sufficient. At the same time, 27 (64%) of the respondents rated their quality as good, 11 (26%) - as average, and 4 (9%) mentioned that they leave much to be desired. At the same time, while some respondents considered them to be very useful, necessary, detailed, describing the steps to be taken, others suggested that they would like to be simplified or merged, or that some SOPs need to be adapted to the specifics of each community. Additionally, the criticisms of the elaborated procedures concern the overlapping or contradiction of some procedures with the legal and normative provisions. Another critical aspect refers to the fact that some procedures are not lucrative and cannot be implemented in the operational activity, being recommended the involvement, in the elaboration process, of the persons who are going to apply them.
- Only 4 (9%) respondents mentioned that there is no mechanism for monitoring and verifying how SOPs are applied, or if employees know those SOPs.

At the same time, the other respondents mentioned the existence of such a mechanism, but specified different details: monitoring the work result, including the satisfaction of citizens or complaints, testing the staff at the end of the year by assessing knowledge in all areas, regular evaluations of employees, including the GPI, existence of a SOPs register and making the employees sign to confirm their communication, others mentioned that the PD and / or GPI monitors, conducts service surveys, prepares service reports, etc. The mechanism presented by 2 respondents deserves attention, according to which, the newly hired persons benefit from a tutor, and the latter should present a report on the degree of knowledge of the SOP. In another case, the respondent mentioned that he personally checks how the SOPs are implemented, by going out with employees.

*Taking into account the above and the indicators of the analyzed sub-action, we found that in the period of 2017-2020, standard operating procedures were developed and revised / adapted, as well as applied. Thus, we **qualify the sub-action 4.1.4. as fulfilled**. At the same time, we point out that a clearly prescribed mechanism for verifying the application of those procedures, at least at the beginning, would have ensured a uniform application and a uniform result of the verifications and expected results. Otherwise, the communication of the SOPs may be limited to the signing of standard operating procedures in the register.*

#### **1.6.3. Consolidating operational management by clearly establishing the field and creating a complex system to ensure decision support, based on an integrated operation management system**



*Performance indicators: Established competencies; a complex system to ensure decisional support*

*Timeframe: 2017–2020*

According to the Progress Report on the implementation of the PDS, on March 16, 2020, the MIA Order no. 148 "On the establishment of the Working Group for conducting the study on operational management within the MIA" was approved. According to this document, without setting a deadline, the working group was to ensure:

- evaluation of the normative framework regulating the field of operational management at the level of the MIA and its administrative authorities and institutions,
- development of the evaluation report on the functionality of the operational management system within the MIA, with the submission of the proposals for development / modification of the normative framework, in order to clearly delimit the competencies in the field.

In addition, the conceptualization of operational management at the level of the MIA and the clear delimitation of competencies was also established by the 2020-2023 Government Action Plan<sup>50</sup>, which was originally set for March 2020. According to the information published on the government "PlanPro" platform for reporting, evaluation, and monitoring<sup>51</sup> ([www.monitorizare.gov.md](http://www.monitorizare.gov.md)), following the adoption by the Parliament Decision no. 55 of 17.03.2020 on the declaration of the state of emergency in connection with the COVID-19 pandemic, the activity of the Working Group was organized by carrying out the actions remotely. Consequently, by Government Decision no. 848 of 30.11.2020, the deadline for this activity was extended until June, 2021.

In addition, according to the Progress Report on the implementation of the PDS, following the changes made to the GPI, the area of competence of the Operational Management Department was revised. The organization and operation of the department were established in accordance with the GPI Order no. 88 of 23.03.2020.

Secondly, the following subdivisions with competences in the field of operational management have been created within the subordinated subdivisions of the GPI:

- Operational coordination department within the National Inspectorate of Investigations;
- Operational Coordination Department within the National Inspectorate of Public Security;
- 3 Operational Coordination Sections within 3 patrol directions (North, South, Center);
- Operational Coordination Section within the "FULGER" SPPB;
- 42 operational coordination sections within Police Inspectorates.

At the same time, in January 2020, the reconstruction of the Police Mission Coordination Center began, which according to the vision is to ensure the national coordination of the accomplishment of the Police missions. The reconstruction of the headquarters is in the finishing stage, being initiated the procedure for purchasing the furniture according to the Specifications.

Additionally, in the context of the implementation of the Action Plan on the consolidation of the operational management capacities of the Police for 2019-2021, the following has been achieved:

- Approval of the GPI Order no.116 of 07.04.2020 on the distribution of daily operative synthesis to the Police subdivisions;

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<sup>50</sup> Government Decision no. 636 of 11.12.2019 on the approval of the Government Action Plan for 2020-2023

<sup>51</sup> "[PlanPro](http://www.monitorizare.gov.md)" government reporting, evaluation, and monitoring platform, chap. II, point 2.8.

- Elaboration of general classified normative framework regarding the centralized operational coordination of the Police resources for the mass measures, adopting situational plans on ensuring order and security in 4 strategic objectives;
- revision and adjustment of the normative framework that regulates the operational coordination of the Police actions in response to 112 calls;
- approval of the instructions on risk analysis in the field of operational management.

We point out that when requesting information from the implementing institutions regarding the existence of an integrated information system of operational management and normative acts that have been or are to be amended for this, the entity presented the same information found in the 2020 PDS Implementation Report, but that does not answer the questions raised.

*Taking into account the fact that the competencies of the operational management field were not clearly established at the level of MIA and administrative authorities, as well as its subordinate institutions, nor was an integrated information system of operational management created or implemented, we appreciate the activity 1.6. 3. as **unfulfilled**.*

## **1.7. Consolidating the capacity of the Police to participate in international missions and European Union crisis management operations**

### **1.7.1. Elaboration of the departmental framework regulating the participation of the Police in international missions and EU crisis management operations**

*Performance indicator: Departmental regulatory framework developed and approved  
Timeframe: 2017–2020*

According to the Progress Report on the implementation of the PSD, by MIA Order no. 233 of August 3, 2017, the MIA's vision on international missions and operations was approved, and by MIA Order no. 43 of 16.02.2018, the Regulation on the recruitment, selection, training and participation of MIA staff in international missions and operations was approved.

In 2020, with the support of the EU Technical Assistance Project Team to support Police Reform in the Republic of Moldova, bilateral relations were established with the Training Center for German police officers and police officers from other states to participate in UN police missions and the EU within the German Federal Police Academy. The institution is available to provide training in 2021 for 5 police officers from the Republic of Moldova, selected based on predefined criteria.

We remind the reader that Promo-LEX emphasized in its previous reports that in the absence of a report on all documents required to be developed and approved for police participation in international missions and EU operations, it is difficult to assess the extent of this action. Thus, it was recommended to assess the fullness of the existing departmental regulatory framework and to publish or include in the Annual Progress Report the results of this evaluation, a recommendation which, unfortunately, was not taken into account.

*Considering that during the implementation of the sub-action, a departmental document, which collaterally refers to the Police, was approved, but in the absence of any case of police participation, according to this document, in international missions and EU operations, and given the lack of a report on all the documents needed to be prepared, we appreciate sub-action 1.7.1. as **partially fulfilled**.*

### **1.7.3. Elaboration and approval of the training curriculum for the staff selected to participate in international missions**

*Performance indicators: Approved curriculum; organized and carried out trainings*

*Timeframe: 2016–2017*

In 2018, the Curriculum for basic training of carabinieri was developed and approved; however, there is no curriculum for training of Police employees for the same purpose, as it was not approved in 2020.

Promo-LEX requested information on the activities carried out for the development and approval of the Curriculum for the training of police personnel selected to participate in international missions and the training carried out in this regard. Thus, the implementing authorities communicated that a working group at ministerial level had been created, aiming to adjust the legal framework on participation in international missions and operations, and the elaboration of the necessary roadmap. The working group was created on 18 August 2020, by the MIA Order no. 373 to ensure the fulfillment of the Decision of the Supreme Security Council no. 01-01-12 of 12 August 2020 on the development of the contribution of the Republic of Moldova to international peacekeeping missions and operations under the mandate of the United Nations.

*Taking into account the fact that the Progress Report for the implementation of the PDS in 2020 did not reflect the actions undertaken to implement this activity, as well as the fact that neither the sub-action nor the performance indicators were carried out in 2020, we qualify sub-action 1.7.3 as unfulfilled.*

#### ***Findings based on the Policy Matrix***

##### **A. 1.1. Improving the human resources system to ensure transparent merit-based selection, evaluation and promotion procedures**

*2020 Indicator<sup>52</sup>: Transparent HRM system based on merit, achieving the target ratio of 40% officers / 60% non-commissioned officers in the Police.*

The MIA published on its website the Report approved by the MIA<sup>53</sup>, which includes information on the actions taken to increase transparency by placing announcements about the recruitment and selection of staff to fill vacancies, recruitment and selection of staff within the MIA subdivisions for participation in management training courses on institutional websites.

According to the report, transparency and ensuring the principle of meritocracy are highlighted by:

- Modification of the draft Government decision on the amendment of the Government Decision no. 460/2017, being proposed new provisions, including those related to the conditions of access to the position in connection with the change of the job category;
- Development of the draft Regulation on the evaluation of the professional performances of the MIA staff, in which the merit-based assessment criteria are promoted, as well as ensuring the objective evaluation of the employees' performances;

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<sup>52</sup> The 2020 performance indicators for achieving the objectives of the Policy Matrix have been excluded.

<sup>53</sup> Consolidated report, including evidence of changes in transparency and the application of meritocracy in the new human resources management system

- Approval of the MIA order no. 430/2020 on amending the Regulation on the training and managerial development of MIA staff;
- Development of the draft amendment to Law no. 288/2016 on the civil servant with special status within the MIA;
- Approval of the MIA order no. 405/2020 on the modification and completion of the Methodology regarding the confirmation of certificates / diplomas for graduation of initial, continuous or managerial training programs.

According to the implementing authorities, the failure to achieve the target of 40% officers and 60% non-commissioned officers in the Police was caused by:

- The impossibility to keep the guarantees established by art. 12<sup>1</sup> of Law no. 288/2016 on the civil servant with special status within the MIA, including the salary, in the case of subsequent transfer from the position of non-commissioned officer to other positions of non-commissioned officers, because this procedure was not accepted by the Ministry of Finance, this being motivated by the lack of a legal basis and a considerable financial impact;
- Approval of Government Decision no. 672/2019, by which the temporary moratorium on the employment of staff in the budgetary sector in the registered vacancies was applied;
- The need to amend Law no. 270/2018 on the salary system in the budgetary sector, namely by establishing the equivalent of the salary difference for the position of non-commissioned officer in relation to that of officer, which is currently impossible to achieve due to the major financial impact.

We remind the reader that Promo-LEX emphasized in its Report no. 3 on civic monitoring of the Police Reform the risk of not reaching the proportion of 40% officers / 60% non-commissioned officers. In particular, we pointed out the large number of vacancies for non-commissioned officers, the moratorium on vacancies registered under the GPI, and that so far, the mechanism for transferring from officer to non-commissioned officer positions had not been applied.

It should be mentioned that art. 12<sup>1</sup> (Access to office in connection with the change of job category) of Law no. 288/2016 on the civil servant with special status within the MIA, entered into force on January 7, 2019, it establishes the conditions for access to office of officials whose position has passed from the category of officers to the category of non-commissioned officers. In this case, the law provides for the retention of all rights and guarantees, including salaries, previously accumulated. At the same time, according to the provisions of art. 12<sup>1</sup> of Law no. 288/2016, the manner of transfer from the position of officer to non-commissioned officer was to be approved by a Government Decision.

Only after a year and a half, at the end of June 2020, the draft amendment of Government Decision no. 460/2017 (unique number: 479 / MAI / 2020)<sup>54</sup> was registered with the State Chancellery, and at the beginning of August, it was posted for public consultations. We remind you that at the beginning of 2020, the Ministry of Internal Affairs had expressed its position<sup>55</sup> that the national legislation ensures the transfer of officers to the rank of non-commissioned officers, which is also ensured by point 37<sup>1</sup> introduced in 2018 in the Regulation on career development of civil servants with special status within the Ministry of Internal Affairs<sup>56</sup>.

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<sup>54</sup> [Draft](#) Government Decision on amending Government Decision no. 460/2017 for the implementation of the provisions of Law 288/2016

<sup>55</sup> [Report no. 3](#) on civic monitoring of the Police Reform in the Republic of Moldova, retrospectives of 2019.

<sup>56</sup> Approved by Government Decision no. 460 of 22.06.2017, p.18-19

However, according to the Progress Report on the implementation of the PDS in 2020, while discussing the draft, two entities presented objections and suggestions for its improvement:

- The Ministry of Finance did not accept the transfer procedure proposed in the draft, which was to ensure the retention of the salary upon further modification of the employment relationship, due to the lack of a legal basis;
- The National Anticorruption Center, in its Anti-Corruption Expertise Report<sup>57</sup>, mentioned that the related provisions of the labor legislation regarding the reduction of the position or staff status should be expressly indicated in the draft.

Thus, according to the Progress Report on the implementation of PDS in 2020, the implementing institutions found “that the efficiency of the activity is not improved; on the contrary, a defective element is established in the management of employees' careers, by losing security in holding a special status, losing employees and enduring unjustified expenses for the Ministry of Internal Affairs”. Therefore, the MIA leadership approved **the exclusion from the draft decision of the provisions governing the transfer of officers to non-commissioned officers** in connection with the reduction of the post, with the reformulation of this procedure in the sense provided in the Vision to reverse the pyramid of positions.

Thus, the transfer mechanism from the position of officers to the position of non-commissioned officer, provided in art. 12<sup>1</sup> of Law no. 288/2016 was not applied in 2020 either.

*Based on the above, we consider that the efforts of the implementing institutions to increase the share of non-commissioned officers in the Police have been intermittent and disorderly, thus not being able to lead to the expected result. According to Promo-LEX estimates, the application of the strategic vision by the annual reduction of all vacant officer positions and the corresponding increase of non-commissioned officer positions, only in 2019 or 2020, could lead to the ratio of 45% non-commissioned officers / 55% officers (Table no.3).*

**Table no. 3.** The number of vacant officer positions that could be turned into those of non-commissioned officers, according to Police activity reports for 2016-2020

Year	According to personnel statements		Employed		Vacant positions		* Hypothetically, if all the vacant positions of officers in that year were transformed into non-commissioned officers	
	Non-commissioned officers	Officers	Non-commissioned officers	Officers	Non-commissioned officers	Officers	Non-commissioned officers <sup>58</sup>	Officers <sup>59</sup>
2016	2636	6305	2336	5747	300	558	3194	5747
	29%/71%		29%/71%				36%/64%	
2017	2997	5960	2492	5441	505	519	3516	5441
	33%/67%		31%/69%				39%/61%	
2018	3221	5737	2698	5491	523	246	3467	5491
	36%/64%		33%/67%				39%/61%	

<sup>57</sup> Anti-corruption expertise report no. 06 / 2-6453 of 16.10.2020

<sup>58</sup> The number of non-commissioned officers represents the sum of the number of non-commissioned officers according to the staff statements and the number of vacancies for the corps of officers.

<sup>59</sup> The number of officers is the number of officers actually employed

<b>2019</b>	3419	5485	2637	4873	782	612	4031	4873
	38%/62%		35%/65%				45%/55%	
<b>2020</b>	3406	5509	2949	4872	457	637	4043	4872
	<b>38%/62%</b>		38%/62%				<b>45%/55%</b>	

Also, as a transitional measure, MIA established by the Resolution no. 10/441 of 17.03.2017 that the GPI should stop hiring staff from an external source for the positions of officers eligible for reorganization. It is not clear whether the cessation of the external source employment process for the positions of officers eligible for reorganization was valid only for 2017 or it was considered extended for the period up to 2020. What is certain is that there were officer positions for which competitions were organized and displayed on the MIA's website.

In addition, the table below shows the baseline set out in the Policy Matrix for Objective A.1.1 - 2016 data and the Final Line - completed by Promo-LEX, according to the 2020 data.

**Table no. 4**

<b>2016</b>	<b>2020</b>
The limit staffing of the Police was 9231 employees, with approx. 900 (10%) vacancies.	The limit staffing of Police is 9156 positions, with 637 (7%) vacancies
Officers: 70% (6462 of the total number)	Officers: 61.6% (5509 of the total number) <sup>60</sup>
Non-commissioned officers: 30% (2769 of the total number).	Non-commissioned officers: 37 % (3406 of the total number) <sup>61</sup>
No career advancement opportunity (from non-commissioned officer to officer) through internal evaluation / internal competition.	Regulation on the career advancement of civil servants with special status within the MIA <sup>62</sup> , Chap. III the transfer of non-commissioned officers to the corps of officers. "The competition for the transfer of non-commissioned officers to the corps of officers is organized until the start of the competition for filling the vacant position with the participation of candidates from an external source."
HRM units without specific candidate selection criteria.	The specific criteria for the selection of candidates are provided in the Regulation on the occupation of public positions with special status within the Ministry of Internal Affairs.

#### **A.1.2. Increasing women's participation in the activities of the Police**

*2020 indicator<sup>63</sup>: A minimum of 20% of police personnel are women and a minimum of 15% of officers are women.*

According to the 2020 Police Activity Report and the Report on the implementation of the PDS in 2020:

<sup>60</sup> According to the Report on the activity of the Police in 2020

<sup>61</sup> According to the Report on the activity of the Police in 2020

<sup>62</sup> Government Decision no. 460 of June 22, 2017 for the implementation of the provisions of Law no. 288 of December 16, 2016 on the civil servant with special status within the MIA

<sup>63</sup> The 2020 performance indicators for achieving the objectives of the Policy Matrix have been excluded.

- As of the end of 2020, the number of women employed in the Police is 1553 (19.31%). At the same time, the number of women with the inclusion of the ones on childcare leave is 1873 (21.88%),
- The number of female officers is 970 (19.9%).
- Employment relationship was terminated with 847 employees, of which 122 - women (65 officers, 26 non-commissioned officers, 31 civilian employees)
- 1130 people were employed, of which 247 women.

We reiterate that, in our view, the share of women in the Police should be calculated from the number of persons actually in the office, excluding from the calculation the number of persons whose employment contract is suspended for various reasons. Moreover, according to the European Code of Police Ethics (Explanatory Memorandum)<sup>64</sup>, “it is a reality that women in general are much underrepresented in the police in EU Member States, and this is much more visible in managerial and senior positions than in basic positions. A similar situation can generally be described for minority groups, including ethnic minority groups, in the Member States. **It is estimated that the relations between the police and the society will improve if the composition of the police will reflect that of the society**”.

Thus, we consider that the minimum percentage limit set for women in the Police must be representative and visible in society. Therefore, it is important that women are properly represented, including in the territorial structures of the Police.

We highlight that in the baseline established in the Policy Matrix, the percentage of women employed in the Police was 14%. At the request for information addressed to the GPI, the following composition was presented:

**Table no. 5.** *Structure of the staff within the GPI, as of 31.12.2020, without the persons on maternity / paternity / childcare leave<sup>65</sup>*

Total number of employees		Number of officers		Number of non-commissioned officers		Number of persons holding managerial positions	
Women	Men	Women	Men	Women	Men	Women	Men
1601	6439	946	3819	402	2537	88	780
8040		4765		2939		868	

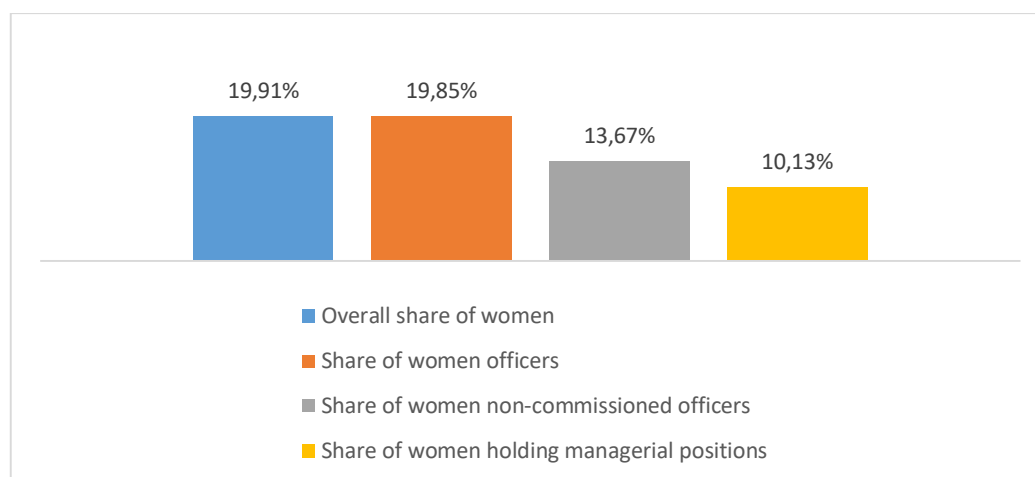
Thus, we find that the overall share of women in the Police as of 31.12.2020 is 19.91%, and the **share of women officers is 19.85%**.

<sup>64</sup> [The European Code](#) of Police Ethics, Recommendation Rex (2001) 10 adopted by the Committee of Ministers of the Council of Europe on 19 September 2001 and explanatory memorandum.

<sup>65</sup> According to the data provided by the GPI.



**Chart no. 8. Share of women in the Police in 2020**



With regard to the representation of women in the territorial and specialized subdivisions of the Police, we mention that the small representation as of 31.12.2020, is observed in the subdivisions of Fulger SPPB, DIJ, Canine Directorate, Dubasari PI, with values between 3% and 9.5%, and the highest representation is within Buiucani PI, Cahul PI, DICP, TCCJE, with values between 30% and 42% (Annex no. 3).

*The Promo-LEX Association appreciates the efforts of employing women in the police, including ensuring a representative share in the territorial subdivisions of the Police.*

Promo-LEX monitors conducted interviews with the management of the territorial subdivisions, or the persons designated by them (a total of 42 respondents), asking questions including about the type of work performed in the police and ensuring equal conditions in the employment process. According to the results of the interviews:

- being asked which three subdivisions within the police inspectorates have more women, 29 of the respondents mentioned the criminal investigation department, 18- public order department, 15- human resources department, 13- public security department;
- in the process of recruitment and promotion, for some positions, 2 respondents stated that they give priority to men, 2- give priority to women, 3 give priority to one gender or another depending on the position in which they are employed, and 35 respondents stated that all have equal conditions. Thus, at least 5 respondents explained that women perform better in an office position (statistics, accounting, juvenile delinquency, investigators), and in public order, criminal police, operational teams, guard unit and prosecution, they would prefer to involve men.

At the same time, it should be mentioned that both the Progress Report on the implementation of the Police Action Plan on increasing the share and role of women in the Police for 2020<sup>66</sup> and the Opinion of the Police Women Association on the implementation of the Action Plan in 2020 of the GPI on increasing the share and role of women in the Police for the period of 2018–2020 (hereinafter Opinion<sup>67</sup>) were published on the Police website.

<sup>66</sup> [2020 Progress Report](#) on the implementation of the Police action plan on increasing the share of women in the Police

<sup>67</sup> [Opinion](#) of the Police Women's Association on the implementation in 2020 of the Action Plan of the General Inspectorate of Police on increasing the share and role of women in the Police for the period of 2018-2020



The Association of Women in the Police conducted a survey involving 127 members, equally representing the territorial subdivisions and subdivisions located in Chisinau, and the results of the survey were reflected in the opinion, as follows:

- 63.8% of employees believe that the situation of women has improved, and 18.9% believe that the situation has not changed.
- 48% answered that women are consulted when making decisions, and 31.5% consider that they are not consulted. According to the Opinion, these data indicate that women continue to be underrepresented, in particular, in the decision-making process, as they only hold the positions of heads of sections within the territorial PI, units / directorates within the specialized or subordinated subdivisions.
- 44.9% consider that no equal conditions for promotion to management positions have been created, 40.9% - that those conditions have been created. In addition, the Opinion noted that in 2020, in addition to the barriers and challenges faced by women in the police, those related to the COVID-19 pandemic were added, namely the cessation of the activity of educational institutions, which led to an overload of parents, especially women, more involved in the education of children. Some employees encountered difficulties in working remotely, being forced to repeatedly apply to benefit from this right, although the activity could be carried out remotely.
- In the process of reorganizing the GPI, 52.8% of women consider that they have not been discriminated, and 21.3% consider that they have been discriminated. According to the Opinion, following the reorganization, several experienced employees left the Police, being disappointed by the consequences of the reorganization, and the pregnancy, in the case of two other employees, was an impediment to the promotion, or to obtain a similar position after the reorganization. At the same time, following the reorganization, most of the management positions, with decision-making power, were filled with already existing employees (men), they being promoted, without organizing competitions, which limited the promotion of experienced women, who met the requirements. Some of these, as a result of the reorganization, did not obtain management positions or did not find themselves at all in the reorganized staffing.

In addition, a case of discrimination was also referred to the Council for the Prevention and Elimination of Discrimination and Ensuring Equality. The Council found that reducing the role of a press officer of the PI is direct gender discrimination in the workplace and recommended the defendant to ensure the reinstatement of the petitioner by identifying and proposing a position similar to the one previously held<sup>68</sup>.

In this regard, at the request of information submitted by Promo-LEX, on the number of cases of gender discrimination registered in 2020 and the number of notifications of the Gender Coordinating Group in 2020, the GPI reported that the coordinating group had not been notified of cases of discrimination.

At the same time, according to the Opinion of the Association of Women in Police, the change of decision-makers in the last year has affected the partnership between the Association of Women in Police and the GPI. Although some activities were carried out jointly, it was not possible to implement all the recommendations made in the previous years, or the dialogue with the Police leaders was not initiated. Thus, the main proposals of the Association of Women in Police are:

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<sup>68</sup> [Decision](#) of the Council on the Prevention and Elimination of Discrimination and Ensuring Equality of 27 July 2020, Case no. 108/20

- Recruitment and retention of women in the police should be a priority even after the end of the Budget Support for Police Reform;
- Designation of a responsible person within the GPI, who would coordinate and monitor the integration of the gender dimension, these tasks should be specified in his/her job descriptions;
- Involvement of women in the decision-making process;
- Adjustment of existing information systems and the format of statistics produced by / within the institution, allowing for the analysis and transparent monitoring of statistical data on staff disaggregated by gender;
- Integration of gender-sensitive budgeting;
- Active involvement of men, especially managers, in supporting and promoting women in the Police.

*In this regard, Promo-LEX recommends that the General Inspectorate of Police continues its efforts to increase the number of women in the Police, as well as to involve them in the decision-making process, including by responding to cases of discrimination or harassment in the Police, providing the necessary support to women engaged in Police.*

#### **A. 1.3. Improving initial and continuing training capabilities, focusing on human rights, modern management and anti-corruption techniques**

*Fully operational 2020 indicator<sup>69</sup> of JLETC and the following components 2, 3, 4a, 4b, 4c, 5a, 5b, 6, 8a and 8b (corresponding to study rooms, training rooms, auditoriums, dormitories and hygiene facilities); with two 16-week initial training courses for non-commissioned officers (minimum 250 participants) and at least 15 continuous education trainings (minimum 450 trained participants).*

The 2020 Report on the implementation of the Action Plan on the operationalization of the Joint Law Enforcement Training Center (JLETC) of the “Ștefan cel Mare” Academy under the Ministry of Internal Affairs and the Report on the implementation of the action A.1.3. of the Budget Support for Police Reform were published on the police website.

According to the Report on the implementation of the action A.1.3. of the Budget Support for Police Reform<sup>70</sup>, in 2020, the following results were achieved:

##### *1) In terms of organizing the JLETC activity*

- The JLETC under the Ministry of Internal Affairs changed its address (it moved from 30 N. Dîmo into the building of the “Ștefan cel Mare” Academy under the Ministry of Internal Affairs, located on 7 Sf. Vineri Street, Chișinău). It was considered inappropriate to develop the JLETC infrastructure on the land in 30 N. Dîmo Street, due to the risks of landslides and its unfavorable conditions for construction<sup>71</sup>.
- It was decided to develop the infrastructure of the JLETC under the Ministry of Internal Affairs on the territory at 7 Sf. Vineri Street, Chișinău, mainly administrative building, study rooms, hotel/ dormitory for the trainees, self-service canteen, cooking spaces, sports fields,

<sup>69</sup> The 2020 performance indicators for achieving the objectives of the Policy Matrix have been excluded.

<sup>70</sup> [2020-2021 Report](#) on the implementation of the Action Plan on the operationalization of the Integrated Training Center for Law Enforcement of the “Ștefan cel Mare” Academy under the Ministry of Internal Affairs approved by Annex no. 4 of GD no. 429/2020

<sup>71</sup> Conclusions of the Agency for Geology and Mineral Resources (research conducted in 2019 by “Hydrogeological Expedition from Moldova”) and of the General Directorate of Architecture, Urbanism and Land Relations.

gyms and wrestling facilities<sup>72</sup>. Thus, by Law no. 61/2020<sup>73</sup>, the destination / location of the financial means intended for the operationalization of the TICLE was modified from the address of from 30 N. Dîmo into the building of the “Ștefan cel Mare” Academy under the Ministry of Internal Affairs, located on 7 Sf. Vineri Street, Chișinău.

- At the same time, it was decided to initiate the procedures for the reconstruction/construction and landscaping at 30 Nicolae Dîmo Street, Chișinău (hotel, tactical training grounds of the JLETC, consisting of light constructions) where practical meetings of professional intervention, shooting training, as well as tracks with obstacles<sup>74</sup> will be organized.
- The merger of JLETC by the “Ștefan cel Mare” Academy under the MIA<sup>75</sup> was approved by the of the Ministry of Internal Affairs. According to the Informative Note to the draft government decision<sup>76</sup>, the merger was necessary both to unify the training system at the MIA under the umbrella of the "Ștefan cel Mare" Police Academy and due to insufficient financial resources for the construction of JLETC (exaggerated costs compared to difficult terrain for construction).

## 2) *In terms of infrastructure development*

- Services for the elaboration of the project documentation for the reconstruction of the interior urban systems of the objectives of the “Ștefan cel Mare” Academy, MIA, 7 Sf. Vineri, str., mun, Chișinău were purchased;
- repair work was purchased for the dormitory and the headquarters of the JLETC (block B)
- repair work was purchased for the roofs of the study blocks (A, B, G, D, V) of the “Ștefan cel Mare” Academy, MIA

## 3) *In terms of training*

- 4 initial training courses were organized (online), in which 373 non-commissioned police officers and carabinieri soldiers were trained (273 men, 100 women).
- 20 continuing education courses were organized, in which 758 employees of the subdivisions of the Ministry of Internal Affairs were trained.

*In view of the above, Promo-LEX appreciates JLETC's efforts to continue the training of non-commissioned officers, even if the pandemic required the adjustment of such training to the restrictions imposed. We believe that as soon as the pandemic conditions allow the conduct of the courses in a face-to-face format, the training activity will be resumed according to the approved program.*

The issue of JLETC's infrastructure was also emphasized by the Court of Accounts in its Audit Report of the consolidated financial reports of the MIA concluded on December 31, 2019<sup>77</sup>. In this regard, the audit concluded that the objective of creating in 2017-2019 a Joint Staff Training Center under the MIA in accordance with European Union standards, was not achieved. At the same time, **the community budget support in the amount of 17.8 million lei was inefficiently spent and poorly**

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<sup>72</sup> MIA Order no.235/2020

<sup>73</sup> [Law no. 61](#) of 23.04.2020 on amending the State Budget Law for 2020 no. 172/2019

<sup>74</sup> MIA Order no.235/2020

<sup>75</sup> Government Decision no. 429 of 24.06.2020 on the organization and operation of some public educational institutions subordinated to the Ministry of Internal Affairs. Annex 4 contains the 2020-2021 Action Plan regarding the operationalization of TICLE under the “Ștefan cel Mare” Academy, MIA.

<sup>76</sup> Informative note to the draft Government decision on the reorganization by merger (absorption) of the public state higher education institution "Ștefan cel Mare" Academy of the Ministry of Internal Affairs and the public educational institution of continuing vocational training Joint Law Enforcement Training Center of the “Ștefan cel Mare” Academy under the Ministry of Internal Affairs.

<sup>77</sup> The report of the Court of Accounts of the consolidated financial reports of the MIA concluded on December 31, 2019, approved by the Decision of the Court of Accounts no. 34 of 22.07.2020

**managed** for the development of project documentation and estimates for the location of the JLETC at 30 Nicolae Dimo Street, which was abandoned by the MIA after three years. Thus, the risk of failure to implement the performance criteria of the Policy Matrix persists, delaying the disbursement of tranches from Community budget support.

Thus, the Ministry of Internal Affairs was recommended to approve a plan of measures to remedy the situations and implement the recommendations, including those referring to the failure to achieve the objective of building the Joint Law Enforcement Training Center, inefficient spending and mismanagement of budget support for the acquisition of the feasibility study, project documentation and technical expertise of the Center.

*Having visited the infrastructure designated for JLETC located at 7 Sf. Vineri Street, we found that the Center is not fully operational in its components that correspond to the study rooms, training rooms, auditoriums, dormitories and hygiene facilities. However, we note that at the time of the visit (08.04.2020) the repairs were in progress, and some study rooms were arranged.*



*At the same time, the work in the hotel/ dormitory for the trainees was in full swing.*







We remind the reader that Promo-LEX emphasized in its Report no. 3 on civic monitoring of the Police Reform<sup>78</sup> the risk of not reaching the indicator set for 2020, considering that the lack of JLETC infrastructure will also have an impact on the quality of the training courses carried out. *At the same time, we appreciate the fact that the solution for the development of the JLETC infrastructure has been identified, but we find it unfortunate that this solution was identified only in the last year of implementation of the Policy Matrix and the Police Development Strategy.*

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<sup>78</sup> [Promo-LEX report](#) no. 3 on civic monitoring of the Police Reform, pp. 39-41

## OBJECTIVE 2: Ensuring fair, efficient and effective enforcement of human rights law in the activity of the Police

*Objective 2 aims at increasing citizens' access to more qualitative police services; the emphasis being laid on respecting human rights in the activity of the Police. Quantitatively, the objective contains practically the fewest actions (2) and sub-actions (8).*

*Of the eight sub-actions, in the opinion of Promo-LEX, 5 (62.5%) were fulfilled and 3 (37.5%) - unfulfilled.*

*In 2020, the deadline for half of the sub-actions listed under Objective 4 expired (50%), three (75%) of which were assessed as fulfilled and one (25%) as unfulfilled. Sub-actions qualified as unfulfilled in previous reports have not changed their rating.*

*With reference to the Policy Matrix, although the performance indicators for 2020 have been cancelled, we point out that following the actions undertaken in 2020, 4 pre-trial detention isolators were put into operation, of which 2 resumed their activity.*

### *Findings based on the Police Development Strategy (PDS)*

#### **2.1. Elimination of all forms of ill-treatment, abuse and discrimination in the activity of the Police**

##### **2.1.1. Ensuring conditions for conducting criminal investigation procedures in accordance with the legal provisions**

*Performance indicators: Conditions created*

*Timeframe: 2017–2020*

According to the Progress Report on the implementation of the PDS in 2020, the Specifications "For the procurement of project documentation and service estimates for temporary detention cells, hearing rooms and premises for reconnaissance within the territorial subdivisions of the Police", subordinated to the GPI under the MIA were prepared. The head of GPI approved by Order no.213 / 2020, the mandatory minimum requirements for the arrangement, within the police subdivisions, of the hearing rooms, premises for recognition of the person and for the meeting of the suspected / accused with the defense counsel and waiting rooms (for those in transit)<sup>79</sup>.

According to the mandatory minimum requirements for the arrangement in the territorial subdivisions of the police of the respective premises, the hearing rooms and rooms for recognition of the person represent an indispensable component of the process of collecting evidence in the criminal process. The way in which the respective premises will be equipped and arranged will influence the quality of the procedural action performed, obtaining of evidence in accordance with the procedural-criminal norms, as well as the observance of the procedural rights and freedoms enjoyed by the person.

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<sup>79</sup> The minimum requirements were consulted with the Council for the Prevention of Torture under the Office of the People's Advocate (Ombudsman), the Institute for Human Rights, the Promo-LEX Association, the Soros-Moldova Foundation, and other non-governmental organizations specializing in human rights.

At the same time, the reconnaissance rooms and the waiting (transit) rooms are arranged within the police inspectorates. In addition, it is necessary to set up rooms for confidential meetings with the defense counsel in each territorial subdivision of the Police, which will ensure the observance of this right of the suspect / accused of committing a crime who are not deprived of liberty and cannot be escorted to meeting rooms arranged within PDI.

According to the progress report on the implementation of the PDS, in 2020, the renovation of 93 rooms in different subdivisions of the Police can be noticed (Table no. 6):

**Table no. 6.**

Type of premises	Place where conditions have been created	Total number of premises
- Rooms intended for hearing the person - Rooms for confidential meetings with the defender	15 Modernized Provisional Detention Isolators	30
- hearing rooms for the participants in the criminal / contravention process	52 modernized Police Departments	52
- Hearing rooms, rooms for presentation for recognition and meetings in confidential conditions	Telenesti PI	7
- Rooms for hearing and presentation for recognition	Criuleni PI	2
- Hearing rooms	Anenii Noi PI Hinesti PI	2
<b>Total:</b>		<b>93</b>

We remind the reader that Promo-LEX in its Report no. 3 on civic monitoring of police reform, emphasized the differences reflected in the GPI reports and / or GPI's position and recommended the use of the same information. At the same time, we reiterate the Promo-LEX position, according to which, 100 facilities that were to be operational by the end of 2019, according to the Policy Matrix, refer to the premises within the territorial units of the police. This aspect was reflected during the implementation of the PDS in the public reports prepared by the GPI, including in the Report on the implementation of the Budget Support Program in 2019. Moreover, the need for these types of premises in the police inspectorates is evident, as they accommodate the criminal investigation departments and the criminal investigation officers work there.

In addition, we note that the arrangement of at least 100 renovated waiting rooms (cells) is also a sub-action of the 2017-2020 Action Plan on reducing ill-treatment, abuse and discrimination against persons in police custody. In the context of this sub-action, reference is made to the indicator set out in the Policy Matrix - modernization of 100 rooms (temporary detention cells, rooms for reconnaissance, meeting with the defense counsel, hearing rooms) within the Police units. At the same time, according to the Progress Report of the respective plan for 2020, the subsequent selection by coordination with the Project Management Department of 10 subdivisions proposed for the arrangement of the rooms<sup>80</sup> was highlighted. Additionally, the need for common estimates of expenses, by which the approximate cost of the work on arrangement / renovation of these rooms, was underlined. According to the estimates of expenses presented by six Territorial Police

<sup>80</sup> According to the GPI, the proposal to set up special facilities in 10 subdivisions was carried out following 22 checks in the territorial subdivisions in order to identify feasible spaces for the arrangement of the rooms concerned. The verifications aimed at forming a clear picture with reference to the infrastructure, the capacity, as well as the planning of new spaces, and accumulated cadastral plans of level I and PDI of the visited PI and selected feasible spaces for cell arrangement. As a result, plans of the location of the cells were elaborated in order to initiate the process of implementing the objectives of creating the spaces targeted above.

Inspectorates, the approximate cost of the work for arranging the targeted rooms varies between 367,616.00 lei and 660,470.00 lei per subdivision.

Thus, in the request for information submitted to the GPI, Promo-LEX included the question about the 10 subdivisions proposed for the arrangement of special premises. As a result, the GPI informed us that a standardized project of the waiting rooms, rooms for recognition and hearings was elaborated within the "Supporting law enforcement reform in Moldova" project implemented by UNDP with the support of the US Embassy. It is to be equipped with video-audio equipment, and is currently implemented within Cahul PI. According to the GPI, the modernization work for special premises within Cahul PI is nearing completion. At the same time, the head of the GPI ordered the employees of the Justice Interaction Directorate of the GPI to make visits to the territorial subdivisions of the Police to identify optimal locations for creating "**detention cells**" (temporary detention rooms, person recognition rooms, hearing / meeting rooms). As a result, schematic plans of cell location and related reports were developed. The latter was submitted to the GPI management to initiate the process of implementing the objectives of creating the spaces referred to above. As a result, 9 territorial subdivisions of the police were selected, namely Drochia PI, Ocnita PI, Stefan Voda PI, Vulcanesti PI, Briceni PI, Cantemir PI, Taraclia PI, Calarasi PI and Rezina PI, which were proposed for the arrangement of the premises, as well as for common expenditure estimates. Currently, the institution is in the process of identifying externally funded projects to achieve the proposed objective.

Conducting interviews with the management of the territorial subdivisions or the persons delegated by them, Promo-LEX monitors asked about the temporary detention of the person in the police inspectorates that do not have PDI and about the escort of the suspect / accused to regional PDI. Thus, 11 (42%) respondents out of 26<sup>81</sup> stated that the detained persons stay in the office of the officer / investigators, until the escort comes. At least one respondent mentioned that in some cases, the detainees are escorted by police cars and the arrival of special vehicles is not expected.

At the same time, at least 2 respondents mentioned that in different cases, depending on the person's behavior, it waits either in the investigator's office, or in the guard unit or in any other vacant office. In the end, most of the respondents admitted that it is a problem, especially at night time, and at least 6 respondents mentioned that they need a detention / waiting room for those detained, until the escort comes to take them to the PDI.

In addition, Promo-LEX monitors visited and observed the hearing rooms, premises for recognition, rooms for confidential meetings of the suspects / accused with the defender set up in Telenesti PI, Anenii Noi PI, Criueni PI, Hincesti PI. In the Police Inspectorate of Anenii Noi, the monitor was informed that none of the mentioned rooms had been set up<sup>82</sup>. In Criuleni, it was mentioned that such rooms exist only within the provisional detention isolator. In Hincesti PI, a room for recognition was identified but there was no hearing room, as indicated in the progress report on the implementation of the PSD. Regarding the special premises from Telenesti PI and Hincesti PI, we mention that none of these rooms started to be used. At the same time, none of the rooms identified corresponds to the required conditions, especially those equipped with furniture and equipment. Details on each room type can be found in Annex 4.

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<sup>81</sup> Of the total number of 42 PIs, 14 will reopen renovated PDIs, and 2 PIs (Calarasi and Ceadar –Lunga), the PDIs continued to operate during 2020. Thus, 16 respondents were excluded from the statistics on this question.

<sup>82</sup> A hearing room was planned, all they have to do is to identify the room and send the request to the GIP.



*Given that by the end of 2020 such rooms in the police inspectorates had not become operational, we consider sub-action 2.1.1 to be unfulfilled.*

### **2.1.2. Improving the conditions in the places of provisional detention of the Police in accordance with the standards of the European Union**

*Performance indicators: Evaluation report prepared; improved conditions*

*Timeframe: 2017–2020*

According to the Progress Report on the implementation of the PDS, in 2020, 5 Provisional Detention Isolators (PDIs) were modernized within the Police Inspectorates of Balti, Comrat, Anenii Noi, Soroca and Criuleni. Thus, the Police currently has 15 renovated provisional detention isolators, 10 of them are put into operation within the following police inspectorates: Police Department of mun. Chisinau, Hincesti, Orhei, Cimişlia, Ungheni, Causeni, Edinet, Sangerei, Cahul, Rascani. In 2021, the activity of the PDIs that do not correspond to the minimum norms will be suspended within the following police inspectorates: Calarasi, Falesti, Floresti and Ceadir-Lunga<sup>83</sup>.

In addition, for the good operation of the PDIs within the Criuleni, Comrat, Bălţi, Hînceşti and Soroca Police Inspectorates, the necessary consumables (mattresses, bed linen, mugs, plates, electric kettles, microwave ovens) were purchased.

To ascertain the improvement of detention conditions under the modernized PDIs in 2020, Promo-LEX monitors visited the respective detention facilities. The mandatory Minimum Norms for the detention spaces within the Police, approved by the GPI Order no. 527 of 28.12.2017 were used as a reference point. The detailed findings are reflected in Action A.2.1<sup>84</sup> (Policy Matrix) and will not be described in this sub-action.

*Following the observations made, Promo-LEX finds that the provisional detention facilities in Balti, Comrat, Anenii Noi, Soroca largely correspond to the minimum detention conditions and, respectively, the mandatory minimum norms for detention facilities. At the same time, in the case of the PDI in Criuleni PI, there are several non-conformities (absence of a special place for reception and body search, premises for the meeting of the defender and suspect in confidential conditions, food block, lack of all necessary conditions in the spaces for medical examination, etc.). For this reason, we cannot comment on its compliance with the minimum conditions of detention. At the same time, taking into account that both in 2019 and in 2020 provisional detention facilities with improved conditions were reopened, we appreciate sub-action 2.1.2 as accomplished.*

### **2.1.3. Improving the conditions of transportation of individuals who are detained / arrested in the process of criminal investigation**

*Performance indicators: Transport units and necessary equipment purchased*

*Timeframe: 2018–2020*

Although it is a continuous activity, the implementation of this sub-action was not reflected in the Progress Report on the implementation of the PDS in 2020. We remind you that in 2019, the

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<sup>83</sup> According to the GIP, the activity of the Provisional Detention Isolators within the Falesti, Floresti and Ceadir-Lunga Police Inspectorates was stopped due to non-compliance with the minimum requirements for places of detention.

<sup>84</sup> See p. 45-51.

institution managed to complete the process of acquisition and re-equipment, in line with the norms approved, of 25 means of transport for the transportation of detainees. According to the Progress Report on the implementation of PDS in 2019, all vehicles are equipped with modern video monitoring systems, air conditioning, ventilation, artificial lighting adapted to the surface of the vehicle, seat belts, etc., to ensure compliance with the guarantees of persons deprived of liberty while transporting them. Thus, both the conditions of transportation of the detainees, ensuring their security and safety, and the working conditions of the police officers, involved in escort missions, were substantially improved.

We highlight that at the beginning of 2020, Promo-LEX monitors inspected the 28 special vehicles that transported detainees during 2019, purchased both under the Budget Support Program and those that came into possession of GPI until 2017. The Minimum Norms for equipping special vehicles for the transportation of detained persons in the custody of the Police, approved by the GPI Order no. 527 of 28.12.2017 were used as a reference point. Following the observations made, Promo-LEX concluded that the special vehicles that were equipped and re-equipped, for the most part, correspond to the minimum criteria specified in the GPI Order no. 527/2017, the transportation conditions of detained and arrested persons being substantially improved.

In addition, In February – March 2021, Promo-LEX monitors conducted interviews both with the representatives of the detention facilities modernized in 2020 and with the management of the territorial subdivisions. The detailed findings are reflected in Action A.2.1<sup>85</sup> (Policy Matrix) and will not be described in this sub-action.

*Considering that the transportation conditions of the detainees have been improved and the necessary transportation units and equipment has been purchased, the Promo-LEX Association considers sub-action 2.1.3 to be **carried out**.*

#### **2.1.4. Ensuring compliance with international human rights standards in the detention and other operational measures**

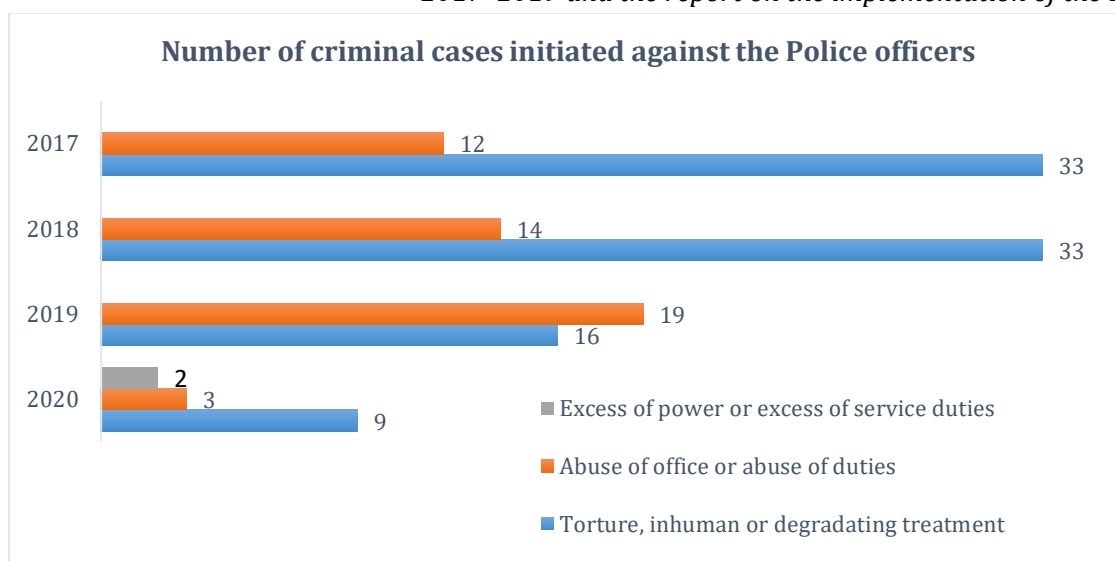
*Performance indicator: The number of complaints about police abuse reduced by 20% by 2020*  
*Timeframe: 2017–2020*

According to the Progress Report on the implementation of the PDS, in 2020, nine criminal cases were initiated against police employees for torture, inhuman or degrading treatment, three criminal cases for abuse of power or abuse of office, two criminal cases for abuse of power or abuse of duties.

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<sup>85</sup> See p. 45-51.

**Chart no. 9.** Number of criminal cases brought against police officers, according to the activity reports of the General Prosecutor's Office for 2017–2019 and the report on the implementation of the PDS in 2020



Thus, according to chart no. 9, there is a decrease in the number of criminal cases initiated in 2020, both those of torture, inhuman or degrading treatment compared to previous years (43.75%), and those of abuse of power or abuse of office (- 84.21%).

At the same time, according to the Report of the General Prosecutor's Office, in 2020, 22 criminal cases were sent to courts for acts of torture, inhuman or degrading treatment, regarding 27 defendants, of which 11 are police officers. In addition, in 2020, based on art. 166<sup>1</sup> of the Criminal Code (torture, inhuman and degrading treatment), the court of first instance handed down a sentence of conviction against a police officer with the application of a penalty in the form of a fine in the amount of 1150 conventional units<sup>86</sup>.

In total, according to the Report of the General Prosecutor's Office, in 2020, prosecutors directly fulfilling their duties sent to court **18 criminal cases** (29 in 2019) against police officers<sup>87</sup>.

In addition, according to the MIA Annual Activity Note for 2020<sup>88</sup> and the 2020 Report on Police Activity<sup>89</sup>, 72 criminal cases were initiated against 99 Police employees (*compared to 132 in 2019*), of which 47 cases fall under the incidence of the Criminal Code of the Republic of Moldova, regarding acts of corruption and related to corruption. Thus, in addition to the 3 cases for abuse of power or office and 2 cases - for forgery of public documents and excess of power or exceeding official duties, 31 criminal cases were filed for passive corruption and 9 - for influence peddling.

At the same time, according to the Report on the activity of the police in 2020, disciplinary sanctions were applied to 177 police employees for inappropriate behavior of the police officers in fulfilling their duties and relationship with citizens, increasing the number of disciplinary sanctions by 48.73% compared to year 2019. Thus, 73 employees were sanctioned with a warning (43 in 2019), 37 employees were reprimanded (35 in 2019), 25 employees received harsh reprimands - (13 in

<sup>86</sup> [2020 Annual Activity Report of the Prosecutor's Office](#), p.49

<sup>87</sup> [2020 Annual Activity Report of the Prosecutor's Office](#), p.31

<sup>88</sup> MIA Annual Activity Note for 2020, p.18

<sup>89</sup> 2020 Annual Police Activity Report, p.18-19

2019), 30 were dismissed (22 in 2019), 10 were demoted with a special degree (3 in 2019) and 2 were demoted to lower positions (3 in 2019).

According to the GPI response of April 9, 2021 to the request for information addressed by Promo-LEX on the number of complaints for police abuse, in 2020, there were **57 complaints** for police abuse, 40 more complaints than in 2019. There were also 10 complaints of abuse by police officers committed while carrying out detention and other operational measures, of which in 4 cases were issued warnings to three employees and a punishment to one employee.

Another confirmation of the fact that the rate of allegations of torture or abuse by the police is relatively low compared to previous years is also contained in the 2020 Report of the People's Advocate on respect for human rights and freedoms in Moldova. Thus, the GPI informed the Office of People's Advocate that by December 18, 2020 the institution (GPI) was notified by phone about **11 cases of:**

- *causing physical pain in the police means of transportation;*
- *application of physical force and torture;*
- *unjustified application of physical force;*
- *physical aggression when removing the suspect from the means of transportation;*
- *unfounded physical aggression;*
- *excessive application of physical force and handcuffs in the street;*
- *physical aggression at home with the application of tear gas;*
- *physical aggression at home;*
- *physical aggression in the street, etc.<sup>90</sup>.*

In 7 complaints against the police, the allegations of abuse were not confirmed, in 2 cases disciplinary violations were found, the rest being under examination.

During the preventive and monitoring visits carried out by the employees of People's Advocate Office, there were no complaints of abuses or inhuman or degrading treatment from the 4 detained persons. However, from the **Records of Complaints, Statements or other information about alleged acts of torture, inhuman or degrading treatment in some monitored police inspectorates, they found 23 worrying complaints**, such as:

- *kicked by police officers;*
- *physically assaulted by MIA employees;*
- *conflict with the police officer;*
- *assaulted by Fulger SPPB;*
- *excessive use of force and special means by police officers;*
- *hitting by the district police officer;*
- *beaten by a police officer*

These complaints were filed with the Police Inspectorates of Anenii Noi Police (9 cases), Edinet (6 cases), Calarasi (4 cases), Nisporeni (2 cases), Glodeni (1 case) and Rascani (1 case). According to the Law on the Prosecutor's Office, only the institution of the Prosecutor's Office can prosecute cases of torture, inhuman or degrading treatment. The cases described were under examination.

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<sup>90</sup> [2020 Report](#) of the People's Advocate on the observance of human rights and freedoms in the Republic of Moldova, pp. 198-199.

In their interviews, Promo-LEX monitors asked whether there had been any complaints about police abuse, including while carrying out detention and other operational measures. At least 24 (57%) respondents confirmed the registration of such complaints, and 18 (42.8%) denied it. In total, at least 148 such complaints were filed, in most of them, according to the respondents, the cases of police abuse were not confirmed.

**Table no. 7.** *Number of complaints of police abuse, in particular while carrying out detention and other operational measures, recorded in 2020, and the results of their examination, according to the management of the police inspectorates*

Police Inspectorate	Number of complaints	Results of complaint examination
Anenii Noi PI	3	The examination of the complaints was terminated on the grounds that the facts set out in the complaints had not been substantiated.
Balti PI	29	The materials were sent to the prosecutor's office for examination. The results of the examination are not known.
Botanic a PI (Chisinau)	6	After examining the complaints, no criminal cases were registered.
Cahul PI	1	The case was presented in court
Calarasi PI	12	No complaints were confirmed, all the allegations were thrown over by video evidence.
Cantemir PI	10	No criminal or contravention cases were initiated, the facts invoked did not come true. In some cases, the maximum penalty applied was a warning.
Causeni PI	2	Police officers were acquitted, no criminal cases were filed.
Ceadir-Lunga PI	1	It was found that the person is guilty and transfer to another department was proposed
Center PI (Chisinău)	The exact number is unknown	No case was initiated
Cimislia PI	1	The case was handed over to the Prosecutor's Office
Ciocana PI (Chisinău)	4	Police officers were acquitted
Donduseni PI	15	The cases did not come true
Drochia PI	7	The cases did not come true
Fălesti PI	10	The cases were sent to the prosecutor's office. Contravention sanctions were applied.
Glodeni PI	3	The cases did not come true
Hincesti PI	The exact number is unknown	The complaints were ultimately not confirmed.
Ialoveni PI	The exact number is unknown	The investigations did not result in any sanctions. In all of them the correct application of special means was found.
Leova PI	16	No criminal or contravention cases were initiated,
Nisporeni PI	2	A criminal case was initiated against 3 employees of Nisporeni PI. There is no final decision yet.
Rezina PI	7	Decisions were issued in which no illegalities were identified in the police actions.
Soldanesti PI	1	A contravention sanction was applied.
Stefan-Voda PI	3	The actions stipulated in the complaints were not confirmed and there were no sanctions.
Straseni PI	10	In none of the cases abuses were confirmed and the employees' actions were considered legal.
Telenesti PI	5	The cases were sent to the prosecutor's office where it was established that the police's actions were legal. Orders were issued not to initiate criminal proceedings.
<b>Total</b>	<b>At least: 148</b>	

We point out that in the case of a police inspectorate (Anenii Noi PI) the number of complaints for abusive actions of police officers mentioned in the interviews with Promo-LEX monitors is lower than the number of complaints about alleged acts of torture, inhuman or degrading treatment found by the People's Advocate, or in general, there were no such complaints (Edinet PI) while the Office of the People's Advocate found such complaints.

*In conclusion, the Promo-LEX Association appreciates the fact that the number of criminal cases initiated for torture, inhuman and degrading treatment, as well as abuse of power or abuse of office is reduced. At the same time, Promo-LEX condemns the abuses of the police against the detained persons and reiterates the recommendation addressed to the management of the implementing institutions to ensure prompt reaction to all allegations of torture, inhuman or degrading treatment or any other abuses committed by police employees. At the same time, taking into account the reduction of both the number of complaints filed and the criminal cases initiated on the abusive actions by the police, we appreciate sub-action 2.1.4. as fulfilled.*

## **2.2. Review of the status of investigating officers and prosecuting officers**

### **2.2.1. Establishing the role, place and attributions of the criminal investigation subdivisions within the Police in the context of judicial sector reform**

*Performance indicators: Joint working group created; developed concept and formulated recommendations*

*Timeframe: 2016–2017*

According to the Progress Report on the implementation of the PDS in 2020, the draft Justice Reform Strategy for 2020-2023, approved by the executive, a study is to be conducted on the deployment of prosecutor's office in order to consolidate the institutional capacity and efficient use of available resources and analyze the opportunity to optimize the subdivisions of criminal investigation officers within the police inspectorates according to the map of the deployment of prosecutors and courts.

We remind you that, according to the Progress Report on the implementation of the PDS, an inter-institutional working group was established in 2016, in order to develop the concept entitled "Establishing the role, place and responsibilities of the criminal investigation subdivisions within the Police in the context of judicial sector reform". In a meeting, it was found that the proposed action is derived from an activity of the Justice Sector Reform Strategy for 2011-2016 and that its implementation is possible only following an inter-ministerial activity, in accordance with the Strategy of Judicial Sector Reform. In the end, it was concluded that the activity of the working group set up was inappropriate at that time.

was elaborated and promoted

Although in the period of 2016–2019, this activity was delayed, in the first semester of 2020, the draft law was approved, by which it was proposed to grant the powers to carry out the special investigation activity to the State Tax Service (STS), in accordance with the Law on the Special Investigation Activity no. 59/2012 and to the criminal investigation, in accordance with the Code of Criminal Procedure for the offenses provided in art. 241<sup>1</sup>, 242, 244, 244<sup>1</sup>, 250, 250<sup>1</sup>, 251, 252, 253, 335<sup>1</sup> of the Penal Code. According to the informative note, specialized subdivisions are to be established within

the STS, which will carry out the criminal prosecution of economic crimes. Thus, the competences of finding and examining some contraventions related to entrepreneurial activity are to be excluded from the competences of the finding agents within the MIA. The reason invoked for the exclusion of these competences is the involvement of the finding agents within the MIA in less specific activities of the Police and which, in fact, do not coincide with the competences of the state control bodies or of other finding agents.

Considering the lack of a comprehensive study on the prosecution, its role and responsibilities and the absence of a single vision and strategy on the prosecuting authorities and powers granted to them, the Promo-LEX Association disagreed with the proposed draft law<sup>91</sup> and sent to the parliamentary commission in charge its Opinion<sup>92</sup> on the draft law no. 298 of 06.07.2020. *Inter alia*, Promo-LEX finds it irresponsible on behalf of the Government and the Ministry of Finance to promote the draft law, and it considers that the parliamentary commission and the general meeting of the Parliament unjustifiably approved in first reading a draft law that affects the strategic processes initiated at least five years ago. Thus, the implementation of the Police Development Strategy is being jeopardized when it comes to establishing the role, place and powers of the criminal investigation subdivisions within the Police in the context of judicial reform.

*Taking into account the fact that during 2020 no concept was developed and no recommendations were formulated for establishing the role, place and competences of the criminal investigation subdivisions, the Promo-LEX Association continues to qualify **sub-action no. 2.2.1 as unfulfilled**.*

### **2.2.3. Adaptation of the legal framework for special investigation activity to the community standards**

*Performance indicator: Draft law developed and submitted for approval*

*Timeframe: 2016–2018*

Although the activity was not carried out within the timeframes set by the Action Plan, this was not reflected in the Progress Report on the implementation of the PDS for 2020.

We remind the reader that on 31.07.2017 a draft law amending and supplementing some legislative acts (Law on financial institutions no. 550-XIII of 21.07.1995, Code of Criminal Procedure of the Republic of Moldova, Law no. 59 of 29.03.2012 on special investigation activity) developed by an inter-ministerial working group<sup>93</sup>, was submitted by the Ministry of Justice for public consultations, the inter-ministerial working group ceasing its activity in August 2017.

In 2019, the Ministry of Internal Affairs repeatedly requested the Ministry of Justice to review some amendments and start the process for their adoption. The amendments proposed target changes to the Code of Criminal Procedure and Law no. 59/2012 on special investigation activity<sup>94</sup>. According

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<sup>91</sup> [The draft law](#) no. 298 of 06.07.2020 for the amendment of some normative acts (Tax Code no. 1163/1997 and the Code of Criminal Procedure of the Republic of Moldova).

<sup>92</sup> [The Opinion](#) of the Promo-LEX Association on the draft law no. 298 of 06.07.2020 for the amendment of some normative acts (Tax Code no. 1163/1997 and the Code of Criminal Procedure of the Republic of Moldova).

<sup>93</sup> Draft law amending and supplementing legislation (on special investigation activity). See <https://bit.ly/2YFxsZu>

<sup>94</sup> The proposed amendments seek to anticipate possible impediments to prosecuting and bringing perpetrators to criminal liability; concentrating the efforts of the criminal prosecution bodies in order to investigate crimes with a high degree of social danger; avoiding the unconstitutionality of certain rules; ensuring the protection of fundamental rights and freedoms

to the implementing authorities, on March 10, 2020, they sent a letter to the Ministry of Justice requesting it to inform the Ministry of Internal Affairs about the status of their application, but no response was received. At the same time, we find that in 2020, the amendments proposed by the respective draft law were not approved.

*Thus, Promo-LEX notes the delay of the Ministry of Justice in promoting the legal amendments regarding the special investigation activity and considers this **sub-action unfulfilled**.*

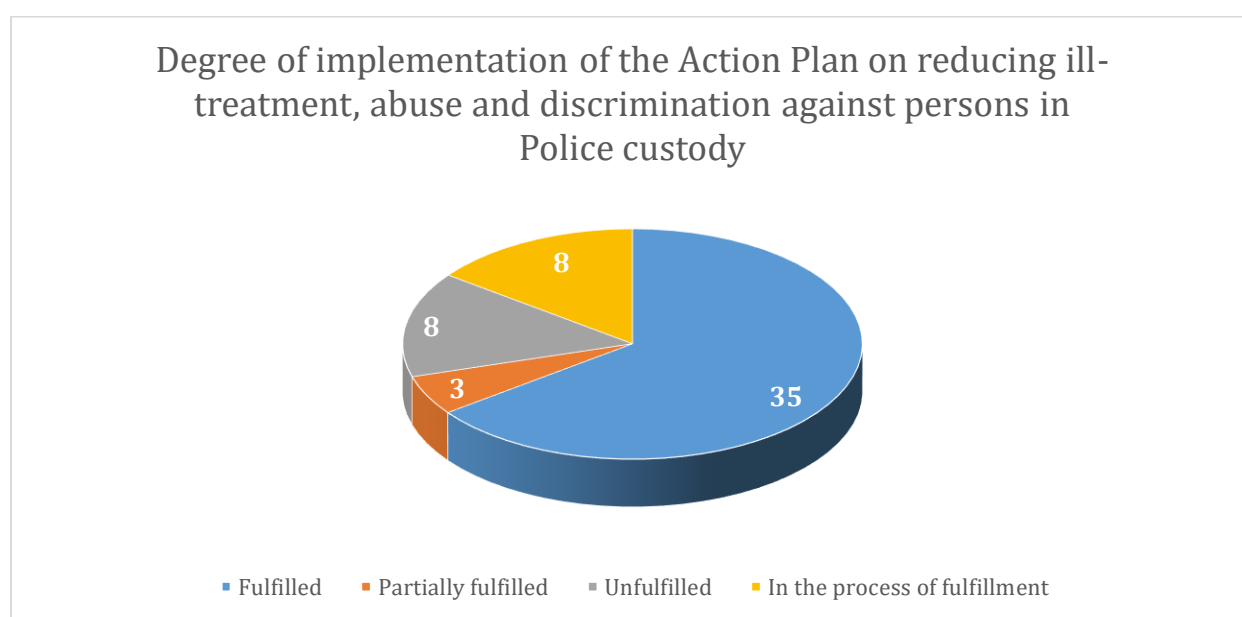
### *Findings based on the Policy Matrix*

#### **A.2.1. Reducing ill-treatment, abuse and discrimination of persons in police custody**

*Indicator 2020<sup>95</sup>: Conditions of detention and transportation of detainees improved by completing the implementation of minimum standards for (a) police detention conditions and (b) transportation conditions for detainees in the custody of the police.*

The progress report on the implementation of the Action Plan to reduce ill-treatment, abuse and discrimination against persons in police custody was published on the website of the Police<sup>96</sup>.

**Chart no. 10.** Degree of implementation of the Action Plan on reducing ill-treatment, abuse and discrimination against persons in police custody, in the opinion of Promo-LEX



According to the Report, the main achievements of 2020 in relation to Objective 2.1. are the following:

- Revision and adjustment to the international standards in Standard operating procedures (field 5), namely: regarding the placement of the detained person in the Provisional Detention Isolator; on escorting and transporting the person deprived of liberty; for restraint; on the mechanism for providing medical care to persons detained and in pre-trial detention; on

by establishing additional guarantees; removal of existing gaps in legislation, and other objectives in order to harmonize legislation.

<sup>95</sup> The 2020 performance indicators for achieving the objectives of the Policy Matrix have been excluded.

<sup>96</sup> [2017-2020 Progress report](#) on implementation during sem. II 2020 of the Action Plan on reducing ill-treatment, abuse and discrimination against persons in police custody



ensuring the right to an interpreter or translator during the detention, guarding, escorting and transportation of detained persons;

- Elaboration and editing, with the support of the Soros Foundation-Moldova, of the manual of standard operating procedures in the field of execution of detention, detention and escort of detainees, which was sent to each specialized and territorial unit of the Police;
- construction of a PDI in Balti PI;
- Carrying out 16 checks by GPI employees with the support of the Detention and Escort Services within the territorial subdivisions of the Police, conducting PDI monitoring visits by the People's Advocate in the PDI of the Chisinau Police Directorate and Police Inspectorates of Ungheni, Edinet, Riscani, Floresti, Cimislia, Cahul, Falesti, Leova, Cantemir, Glodeni, Sorocea, Nisporeni in the period between 07.08-04.11.2020. Also, 4 monitoring visits were carried out by the employees of the Detention and Escort Service of the Joint Justice Interaction Directorate with the representatives of the Institute for Human Rights in Moldova in PDIs of Riscani, Edinet, Balti and Singerei Police Inspectorates.
- Organizing and conducting training of police officers engaged in escorting and detention in police inspectorates and remand centers in accordance with respect for human rights and gender equality. Thus, the "Ștefan cel Mare" Academy, organized 4 trainings in this respect, with the involvement of 83 employees (women-23, men-60), investigation and criminal investigation officers from the Police subdivisions. Also, with the support of the Soros Foundation-Moldova, trainings were conducted for Police employees in the field of non-discrimination and standards established by the Istanbul Protocol, including in the field of prevention of violence between detainees (3 training sessions with the participation of 24 employees).
- Carrying out 45 practical trainings on the manner and conditions of application of force and special means of the Police with regard to the detained persons, involving 386 persons.

At the same time, according to the report for the implementation of the PDS in 2020, 5 PDIs within the Police Inspectorates of Balti, Comrat, Anenii Noi, Sorocea and Criuleni were modernized. Table no. 8 presents the data obtained during the interviews with the representatives of the detention and escort sections / services about the provisional detention isolators modernized in 2020 and regionalized, their accommodation capacity, the staff structure within the respective Detention and Escort Service.

**Table no. 8**

PDI within PI	Date of commissioning of the PDI	Date of commencement of detention of persons in PDI	PI from which detainees are brought	Number of positions within DES <sup>97</sup> , according to staff statements	Persons employed in the DES		Vacancies in DES	Maximum number of places for detainees
					Women	Men		
<b>Sorocea PI</b>	26.02.2021	26.02.2021	Sorocea PI, Floresti PI	12	1	9	2	14
<b>Criuleni PI</b>	Hasn't been commissioned yet	They did not start detaining people yet	-	12	0	7	5	15
<b>Balti PI</b>	26.02.2021	26.02.2021	Balti PI, Falesti PI	20	1	19	0	19

<sup>97</sup> Detention and Escort Service.

<b>Comrat PI</b>	26.02.2021	They did not start detaining people yet <sup>98</sup>	Comrat PI, Ceadir-Lunga PI, Vulcanesti PI	20	2	9	9	14
<b>Anenii Noi PI</b>	26.02.2021	They did not start detaining people yet <sup>99</sup>	They are to be brought from Anenii Noi PI and Bender PI	18	1	12	5	16

### ***Operationalization of provisional detention facilities and the structure of the Detention and Escort Section / Service***

The provisional detention isolators (PDIs) modernized in 2020 were not put into operation and, respectively, did not work in 2020. Moreover, PDI Criuleni was not put into operation together with the other modernized PDIs at the beginning of 2021. At the same time, two PDIs (Soroca, Balti) started to accommodate detainees at the end of February 2021, another two PDIs (Comrat, Anenii Noi) - in March 2021.

The isolators operate in a regionalized regime, which means that detainees from 2-3 administrative-territorial units are brought / are to be brought there. However, taking into account the number of PDIs renovated and reopened in 2019, as well as analyzing the data in table no. 8, it is not clear where the detainees from the Balti, Falesti, Soroca, Floresti, Comrat, Ceadir-Lunga Police Inspectorates were held in 2020.

Similarly, Promo-LEX notes with regard to the PDIs modernized in 2020 an extremely different ratio between the maximum number of persons that can be held in the isolator and the number of positions within the Detention and Escort Section / Service, according to the staff statements. Thus, if in the case of the PDI Soroca, 12 employees of the Detention and Escort Service (DES) must ensure the detention and escort of 14 detainees, then in the case of PDI Comrat, 20 DES employees must ensure the detention and escort of the same 14 detainees. *Thus, Promo-LEX reiterates the recommendation to examine the opportunity to periodically review the number of persons in detention and escort services in order to standardize and adjust, if necessary, these services.*

### ***Infrastructure of provisional detention facilities***

In order to find out about the improvement of detention conditions within the PDI, Promo-LEX monitors visited the 5 isolators modernized in 2020, having as benchmarks the Minimum Mandatory Norms for detention facilities within the Police, approved by the GPI Order no. 527 of 28.12.2017.

Taking into account the findings of Promo-LEX monitors on the compliance of provisional detention isolators with the minimum mandatory norms for detention facilities within the Police, approved by GPI Order no. 527 of 28.12.2017 (Annex 5), we conclude that four provisional detention isolators (Balti, Comrat, Anenii Noi, Soroca) correspond, for the most part, to the minimum detention conditions. Consequently, the isolators also comply with the Minimum Mandatory Rules for Detention Spaces. At the same time, in the case of the PDI Criuleni, there are several non-conformities

<sup>98</sup> According to the GIP, detained persons have been placed in PDI Comrat since 19.03.2021

<sup>99</sup> The reason for not starting to detain people within the PDI Anenii Noi, according to the respondent, is that not all staff are trained. According to the GIP, from 11.03.2021, detained persons were placed within PDI Anenii Noi.

(lack of a reception point and premises for body search, spaces to ensure a confidential meeting between the defender and suspect, food block, lack of all necessary conditions in spaces for medical examination, etc.). Therefore, we cannot comment on its compliance with the minimum conditions of detention.

According to the GPI, additional work is required to ensure that the Provisional Detention Isolator of Criuleni PI meets the requirements of detention of persons in custody. In this sense, it was ordered to elaborate the specifications for additional work that are required and to remedy the gaps.

At the same time, in addition to observing the PDI infrastructure, certain aspects were elucidated through interviews with the representatives of the Detention and Escort Service, the results of which are presented below.

### ***Cleaning services***

According to the respondents, there are no cleaning services in the isolators. At the same time, PDI Soroca submitted a request to the GPI for the opening of a new position in this regard, while PDI Comrat and PDI Balti are in the process of recruiting the person who will do the cleaning, meanwhile these services are provided by the employees of the isolators. This year again, we find that there is no uniform decision on how to ensure the maintenance of cleaning services in the insulators.

### ***Performing women's body control***

According to the respondents, in four isolators (Soroca, Balti, Comrat, Anenii Noi) women are employed, who, in case of need, could perform the body search of the detainees. At the same time, no women are employed in the Detention and Escort Service within the PDI Criuleni, and according to the respondent, the body search of the detainees is performed by the employees of the Police Inspectorate.

### ***Ensuring the detainees with food during detention and escorting***

According to the respondents, during the provisional detention, the detainees from PDI Balti and PDI Soroca are provided with three meals a day, the PDIs concluded service contracts with economic agents. In the case of the PDI Comrat and PDI Anenii Noi, the economic agents are to be identified, and the PDI Criuleni is non-functional.

At the same time, although two respondents stated that during the escort, the detainees are provided with food and water, within the details provided, the Promo-LEX monitors found that the detainees are not provided food during the escort. Thus, according to the respondents:

- "detainees are provided with food in isolation before or after escort";
- "the food is provided by the relatives or friends of the detainee";
- "the distance between the isolator and the place where they are to be escorted is small".

At the same time, at least within one PDI, detainees are provided with drinking water during the escort.

### ***Training of employees of the Detention and Escort Service***

According to the respondents, in two PDIs (Soroca and Balti), all employees received training in this respect, and in one PDI - two non-commissioned officers were attending a training at the time of the

interview. On the other hand, no employee of PDI Criuleni and PDI Comrat received training on police custody.

Thus, it is advisable to plan the conduct of employee training, before starting to hold people in PDIs to be reopened. At the same time, it should be mentioned that the sustainability of the activities carried out, including the trainings carried out in the reform process, must be ensured.

### ***Special vehicles owned by the PDIs***

All the 7 special vehicles owned by the modernized PDIs are re-equipped. All expenses related to the maintenance of special vehicles for escorting people are borne by the police inspectorates.

***Table no. 9. Statistical data on the vehicles owned by PDIs***

<b>PDI within:</b>	<b>Maximum number of places for detainees</b>	<b>Special vehicle held by the PI</b>	<b>Re-equipped special vehicles</b>	<b>Additional vehicles needed, according to PDI</b>
Soroca PI	14	1	1	2
Criuleni PI	15	1	1	1 <sup>100</sup>
Balti PI	19	2	2	0
Comrat PI	14	2	2	0
Anenii Noi PI	16	1	1	1
<b>Total:</b>	-	<b>7</b>	<b>7</b>	<b>4</b>

According to the respondents, the special vehicles that are equipped are not sufficient to carry out the appropriate escort activities in the case of 3 PDIs (Soroca, Criuleni, Anenii Noi). In the case of two PDIs (Criuleni, Anenii Noi), it would be necessary to grant one special vehicle, and in the case of PDI Soroca, two more special vehicles for people with special needs would be necessary.

### ***Conditions for transporting persons in police custody***

We remind you that in Report no. 3 on civic monitoring of the Police Reform, following the observation of 28 special vehicles Promo-LEX concluded that although they were equipped and re-equipped and largely meet the minimum criteria of endowment and equipment, only one vehicle, managed by Rascani PI, corresponded to all the criteria evaluated by the monitors.

At the same time, during the interviews conducted with the management of the territorial subdivisions or the persons designated by them in the period between February and March 2021, Promo-LEX monitors asked about the number of transport units that they have for the transportation of detainees. The situation is presented in the table below, being included only the subdivisions that have transport units, except for Chisinau PD.

<sup>100</sup> It would be extremely important to have a smaller vehicle to transport a small number of detainees.

**Table no. 10.** Number of transport units for transportation of detained, arrested persons

Police Inspectorate	Number of transport units owned by PI for transporting detained / arrested persons	Number of transport units re-equipped and properly equipped
Anenii Noi Police Inspectorate	1	0
Balti Police Inspectorate	2	2
Bender Police Inspectorate	1	0
Cahul Police Inspectorate	3	3
Calaras Police Inspectorate	2	1
Cimislia Police Inspectorate	2	2
Comrat Police Inspectorate	2	2
Criuleni Police Inspectorate	1	1
Donduseni Police Inspectorate	1	1
Dubasari Police Inspectorate	1	0
Edinet Police Inspectorate	2	2
Falesti Police Inspectorate	1	1
Floresti Police Inspectorate	1	
Hincesti Police Inspectorate	2	2
Orhei Police Inspectorate	2	2
Riscani Police Inspectorate	2	2
Singerei Police Inspectorate	2	2
Soroca Police Inspectorate	1	1
Stefan-Voda Police Inspectorate	1	0
Straseni Police Inspectorate	1	1
Ungheni Police Inspectorate	2	2
Vulcanesti Police Inspectorate	1	0
<b>Total:</b>	<b>34</b>	<b>27</b>

Data in the table reveal that the territorial subdivisions have 34 units for the transportation of detained / arrested persons, of which 27 (79%) are re-equipped and properly equipped. We mention that in the interviews conducted with the detention and escort services both in 2020 and in 2021, most of the respondents highlighted the need for smaller transport units for escorting detainees.

In this respect, it seems that there are cases in which detained / arrested persons are transported with other transport units than those provided. An example in this respect is the case of the road accident that took place in February 2021, when a detainee was transported by a car equipped as a forensic laboratory<sup>101</sup>. At the same time, during the interviews with the police inspectorates, a respondent mentioned that there are cases when, after detaining a person, they do not wait for the special vehicle from the PDI, the detainee being escorted in an PI car. Thus, although the situations described above could be isolated cases, we consider it necessary to draw attention to the fact that the transportation of persons detained / arrested with transport units other than especially re-equipped/ equipped one should not become a common practice, this being necessary for the safety of detainees, as well as for that of police officers. Otherwise, it is not clear what was the need to

<sup>101</sup> The [news](#) about the road accident with the involvement of a forensic car, during the escort of a detainee.

approve special rules for the endowment and re-equipment of means of transport intended to escort detainees and the subsequent implementation of these rules.

*Promo-LEX appreciates the efforts of the implementing institutions to improve the conditions of detention and transportation of persons in police custody, including the further modernization of PDIs in a pandemic year.*

### OBJECTIVE 3: Consolidating the capacity of the Police to combat organized crime, trafficking in human beings, cybercrime, violence, including gender-based crime, drugs and arms smuggling, counterfeiting and money laundering

*Objective 3 aims at increasing the capacity of the Police in combating crime and ensuring public security. It contains 2 actions and 12 sub-actions. Regarding the degree of accomplishment of the activities planned, Promo-LEX identified that out of 12 sub-actions, only four (33%) can be considered fulfilled, 1 sub-action (8%) is unfulfilled, 4 (33%) - partially fulfilled, and in the case of three other sub-actions (25%), the Association could not decide on the grounds that they are too generally formulated or their indicators are not measurable.*

*Only two sub-actions expired in 2020, one of which was assessed as partially fulfilled and the other as fulfilled. The sub-action qualified as unfulfilled in the previous reports has not changed its rating.*

*With reference to the Policy Matrix, we point out that the actions undertaken in 2020 resulted in the purchase of computing equipment and peripherals for the departments of criminal investigation, and the conduct of study visits and training for the staff.*

#### *Findings based on Police Development Strategy*

### **3.1. Developing the capacities of structures responsible for combating organized and cross-border crime**

#### **3.1.3. Consolidating the capacities of forensic and investigative subdivisions at regional level**

*Performance Indicators: working conditions created in accordance with EU standards; consolidated capacities*

*Timeframe: 2018–2020*

According to the Progress Report for the implementation of the PDS, on May 28, 2020, the US Embassy in the Republic of Moldova officially donated equipment and software to the Forensic and Judicial Expertise Center. The donation includes translation equipment and information storage software. It also includes a server with the capacity to store and process information for 25 years. The Forensic and Expertise Center was equipped with 16 forensic kits for picking up footprints with static electricity, and the police subdivisions were provided with 202 workstations (computers) offered to employees of crime investigation departments, 190 workstations and 50 printers offered to employees of the criminal investigation sections, 99 workstations offered to the police departments, 53 workstations and 20 pieces of HDD.

At the same time, in 2020, several training / experience exchange activities were organized:

- participation of an employee in the Final Meeting of Project 57 entitled " Strengthening crime scene forensic capabilities in investigating CBRN incidents in South East and Eastern Europe region ", organized in Belgium.
- the training course "Safety of radioactive sources", organized by the National Agency for the Regulation of Nuclear and Radiological Activities;
- the training course "Weapons of Mass Destruction and Awareness of Their Non-Proliferation", organized by the Office for Defense Cooperation of the US Embassy in Chisinau;

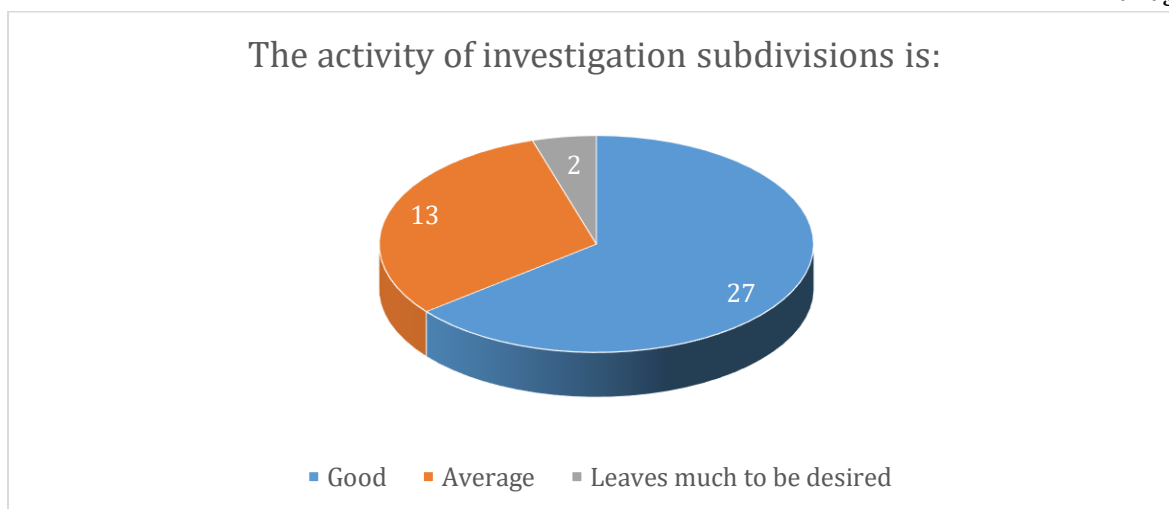
In 2020, the Professional Development Department of the "Ștefan cel Mare" Academy of the Ministry of Internal Affairs organized 3 courses in the following fields:

- "Criminal investigation" in which 18 employees of criminal investigation sector officers and criminologists from the Police subdivisions participated, being trained in "Work stages with the crime traces at the spot";
- "Crime Investigations", 24 employees of criminal investigation sector, patrol / guard service, canine service and criminologists from the Police subdivisions were trained in the field of investigation;
- Training courses "Criminal investigation activity", addressing issues related to the tactics of conducting on-site research, which addressed the rules of collection, packaging and storage of biological evidence, being trained: 25 criminal investigation officers of territorial subdivisions.

We remind you that in the period of 2018-2019, the GPI received as donations several batches of equipment, forensic kits, transport units necessary for the investigation of crime scene, equipment for crime scene investigation, mobile laboratories; trainings for the use of the received equipment were organized.

In the interviews with the management of the police inspectorates or with the heads of the investigation subdivisions<sup>102</sup>, when asked about how they appreciate the activity of the investigation subdivisions, 27 appreciated the activity - as good, 13 - as average, and 2 mentioned that the activity of the subdivisions leaves much to be desired.

**Chart no. 11.** *The activity of the investigation subdivisions, according to the opinion of the PI management*



At the same time, when asked if the working conditions in the subdivisions of investigations are ensured, 29 (69%) of the respondents answered affirmatively, and 13 (31%) - negative. The respondents who replied that the conditions of activity are not ensured, mentioned that:

- the subdivisions of investigations do not have special equipment and / or technology (11), including computers;
- do not have offices or are in need of repairs (5);
- do not have office furniture (1); the salary is very low and the workload is very high (1); there is no room for rest and meals (1).

<sup>102</sup> The Promo-LEX monitors previously informed the management of the police inspectorates about the typology of the questions to be addressed, and the heads of the police inspectorates subsequently decided whether to answer them personally or to designate persons from the investigation subdivisions. Thus, the questions regarding the investigation activity were answered by 6 heads of the investigation subdivisions and 36 heads of the PI.



We remind you that in the context of staff turnover, the Promo-LEX Association recommended in its Report no. 3 on civic monitoring of police reform, continuing to conduct regular training on the use of purchased equipment. Thus, when asked if in 2020 training was conducted on the use of the equipment provided (forensic mobile cars, forensic kits, technology and special equipment), out of 42 people, 23 (54%) respondents said they received training and 18 (42.85%) mentioned that they were not trained in 2020, and one person refused to answer the question.

When asked if the (reorganization) changes that took place within NII somehow influenced the investigation activity within the investigation subdivisions, 19 respondents gave affirmative and 23 - negative answers. At the same time, among those who reported that the changes within NII had an impact on the investigation activity in subdivisions, 5 negatively assessed the consequences of the change (vacancies remained within PI, after the transfer of the best employees from PI to NII.), and 12 - appreciated them positively. At the same time, one respondent noted that, except for the reduction of the Economic Fraud Service, the reform of the NII is not perceptible.

**Table no. 11.**

Positive effects of the (reorganization) changes within NII	Negative effects of (reorganization) changes within NII
<ul style="list-style-type: none"> <li>- Responsibilities have been clearly established and delimited;</li> <li>- Each employee manages a certain field of activity, being very well prepared;</li> <li>- There is an efficient and ongoing collaboration between the PI and NII (3);</li> <li>- The number of professional staff has increased, more possibilities and human resources have appeared;</li> <li>- The changes have generated better results;</li> <li>- Colleagues from NII have been involved several times in order to investigate some crimes;</li> <li>- Being at a very short distance from Chisinau, colleagues from NII act promptly;</li> <li>- NII is mainly involved in the investigation of serious, particularly serious and exceptionally serious crimes and the endowment of NII is clearly superior.</li> </ul>	<ul style="list-style-type: none"> <li>- Transfer of the best employees from the PI to NII, thus leaving in the PI several vacancies, which are to be filled with new employees who will need training;</li> <li>- The delimitation of competencies is missing, the National Investigation Inspectorate being in charge of only serious cases;</li> <li>- The positions overlay and there are too many bosses who manage the activity of the employees;</li> <li>- Total optimization of the Economic Fraud service within the Crime Investigations Department. In case of emergency (especially at night) NII employees refuse to come to the scene, or arrive too late, which creates problems, given that the person who committed some crimes, cannot be detained for more than 3 hours.</li> <li>- NII employees do not conduct "serious" investigations, they only come to the scene to verify or only with a request for information, without contributing to the investigation of the crime.</li> </ul>

*In previous reports on civic monitoring of police reform, Promo-LEX mentioned that the regionalization of the structures subordinated to the GPI was to take place in the near future, otherwise the effective implementation of this sub-action was uncertain. Thus, we find that the reorganization of the specialized subdivisions of the GPI has taken place, but without regionalization and without a clear (positive) effect on the capacities of the investigation subdivisions at regional level. However, taking into account the fact that in previous years great efforts have been made to create the conditions of activity in accordance with EU standards, of the technical-forensic subdivisions and of investigations, we appreciate **sub-action 3.1.3. as partially fulfilled.***

### **3.1.8. Improving the quality of professional training of investigative officers by identifying a group of trainers within subordinate subdivisions and ensuring their training according to international standards**

*Performance indicators: Trainers identified and trained*

*Timeframe: 2017–2020*

According to reports for the implementation of the SDP, in 2016, 15 employees were identified as trainers. During the period of 11.04. - 15.04.2016 the trainers were tested. Thus, during 2020, Police trainers carried out 2 training courses for investigation officers, in which 39 employees were trained in the field of special investigation activity.

**Table no. 12.** Statistical data on the training of investigating officers

Year	Courses conducted	Investigation officers trained
2017	15	199
2018	7	113
2019	6	117
2020	2	39
Total:		468

In the interviews conducted with the management of police inspectorates or with the heads of investigation subdivisions<sup>103</sup>, when asked about the quality of training of investigators in the period of 2017-2020, 17 interviewees mentioned that the quality of training is the same as before, 20 rated it as better, and 4 said it was worse.

**Chart no. 12**



At the same time, following the request for information addressed to the GPI, the institution informed us that the level of training of the investigation officers trained by the trainers within the Policy Matrix Program for the implementation of the Budget Support on Police Reform has increased. Thus, in the annual evaluations in the “Specialized Training” section, they were assessed with an **average grade higher by 0.39 points (8.05) compared to those who did not benefit from this training (7.66)**. Likewise, the GPI mentioned that the trainings were reorganized in online format starting with March 2020, given the fact that the year was marked by the pandemic. Thus, several restrictions were imposed that led to the reform of the process of continuous professional training not only within the Police, but also within all entities.

<sup>103</sup> The Promo-LEX monitors previously informed the management of the police inspectorates about the typology of the questions to be addressed, and the heads of the police inspectorates subsequently decided whether to answer them personally or to designate persons from the investigation subdivisions. Thus, the questions regarding the investigation activity were answered by 6 heads of the investigation subdivisions and 36 heads of the PI.

*Taking into account the above, the Promo-LEX Association appreciates the continuity of the training of investigative officers, including in a pandemic year, and qualifies the **sub-action no. 3.1.8. as being fulfilled.***

### **3.2. Extending the competences of the Police in preventing and combating laundering of money generated by organized crime**

#### **3.2.1. Developing and approving drafts amending both the legislative and regulatory frameworks with a view to regulating the competences of the Police in preventing and combating the phenomenon of money laundering**

*Performance indicator: Harmonized legislative-normative framework*

*Timeframe: Semester II, 2016*

On 22.12.2017, a new Law on preventing and combating money laundering and terrorist financing was approved, in force since 23.02.2018. The project developed by GPI granting police powers to prevent and combat money laundering crimes with regard to the crimes falling under the jurisdiction of the MIA, without interfering with the powers and competences of the Service for Prevention and Combating Money Laundering within the NAC, was overturned by the NAC so the amendments to the legislative and normative framework were not approved.

In 2019, the NII within the GPI repeatedly initiated<sup>104</sup> the procedure for modifying the provisions of art. 269 of the Code of Penal Procedure on the exclusion of art. 243 (Money Laundering) from the competence of the National Anticorruption Center, which, however, was not finalized.

Likewise, in 2020, the Ministry of Internal Affairs made efforts to promote the above draft law. On June 15, 2020, the Ministry of Internal Affairs submitted to the State Chancellery a request to register the draft law for the amendment of the Code of Criminal Procedure of the Republic of Moldova no. 122/2003. This draft law proposed the completion of art. 269<sup>2</sup> of the Code of Criminal Procedure, according to which offenses under art. 243 (Money Laundering) and 279 (Terrorist Financing) of the Criminal Code, are examined by the criminal investigation body in whose competence the crime is. However, on June 17, 2020, the State Chancellery returned the submitted draft law as it was to be taken over by the Ministry of Justice.

At the same time, in 2020, the new organizational structure of the National Inspectorate of Investigations was approved, in the composition of which the structure of investigations of money laundering crimes and terrorist financing was maintained (Directorate of Investigations of money laundering crimes and terrorist financing), with an effective limit of 16 positions.

Based on the above, Promo-LEX found that the authorities lack a common vision on police powers granted to prevent and combat money laundering and / or promote unjustified delay of the respective draft law. *Considering the above-mentioned, the Promo-LEX Association finds that the sub-action on amending the legislative and regulatory framework **has not been fulfilled.***

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<sup>104</sup> In 2018, NII within the GIP submitted for review and approval the draft law amending the Code of Criminal Procedure, namely art. 269, para. (1) Code of Criminal Procedure, but, at the initiative of Legal Directorate of the GIP the draft law was withdrawn

### **A.3.1. Capacity building in the fight against organized and cross-border crime, including by increasing onsite research capacities**

*Indicator 2020<sup>105</sup>: Improved onsite research capabilities*

The progress report on the implementation of the Action Plan on consolidating the capacities of the Police to fight organized and cross-border crime, for 2017–2020, was published on the Police website<sup>106</sup>.

According to that report, the following achievements were reached in 2020:

- the standard Operational Procedure for the Collection of Chemical, Biological, Radiological and Nuclear Samples (CBRN) at the crime scene and the standard operational procedure for the detention, escort, transportation and placement of the detainee in the Provisional Detention Facility of the Police were approved;
- requests for connection to the government service MPASS and MSIGN, in order to develop the "State Register of Weapons" Automated Information System (software), on the targeted platforms and the training course for users of the "State Register of Weapons" Automated Information System was organized.
- computer equipment and peripherals were purchased for the GPI, so that the employees of the criminal investigation sections within the Police Inspectorates were equipped with 190 workstations (computers) and 50 printers, and the employees of the crime investigation departments within the Police Inspectorates were equipped with 202 workstations (computers);
- GPI employees carried out various study visits and participated in trainings (in combating organized crime - 5 visits and trainings, in preventing and combating money laundering, terrorist financing, illicit trafficking in weapons and explosives - 12 visits and trainings);
- A collaboration agreement was signed between the Service for Preventing and Combating Money Laundering (SPCML) and the Ministry of Internal Affairs, intensifying the exchange of information between the specialized subdivisions of the GPI and SPCML.

When asked in the interview with the A.1.3 project manager, if the indicators set out in the policy matrix for 2020 were met, he mentioned that the indicators were mostly met and that in the last stages, they could see the final results - especially the purchase of computers and software.

At the same time, in order to reflect the perception of the territorial subdivisions on their on-site research capacities, in interviews with the police inspectorates or the heads of the investigation subdivisions<sup>107</sup>, Promo-LEX monitors asked about the shortcomings of the investigation subdivisions.

We remind the reader that in 2017, at the request of the GPI, the feasibility study "Consolidating and developing the capacities of police investigation structures in combating organized and cross-border

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<sup>105</sup> The 2020 performance indicators for achieving the objectives of the Policy Matrix have been excluded.

<sup>106</sup> [2017-2020 Progress report](#) on the implementation of the Action Plan on consolidating the capacities of the Police to fight organized and cross-border crime.

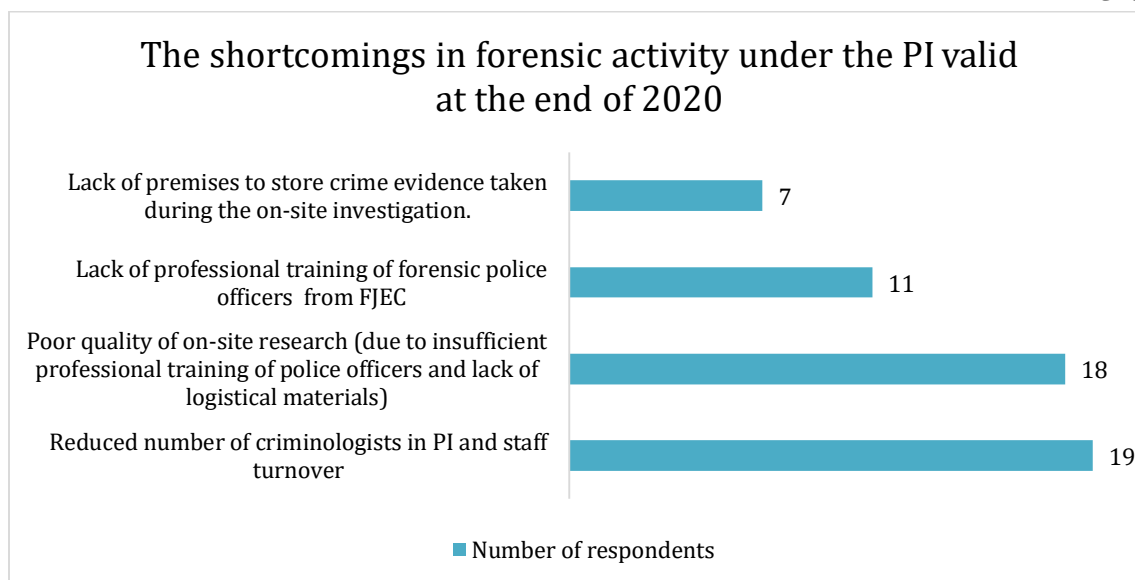
<sup>107</sup> The Promo-LEX monitors previously informed the management of the police inspectorates about the typology of the questions to be addressed, and the heads of the police inspectorates subsequently decided whether to answer them personally or to designate persons from the investigation subdivisions. Thus, the questions regarding the investigation activity were answered by 6 heads of the investigation subdivisions and 36 heads of the PI.

crime through regionalization" was conducted, which aimed to comprehensively assess the capabilities of investigation and forensic structures, as well as to determine the way and conditions for streamlining their activity. Thus, the shortcomings found in the forensic activity, according to this study were:

- "1. Reduced number of criminologists in the police inspectorates and the high staff turnover;
2. Poor quality of on-site research, due both to insufficient professional training of police officers and due to the lack of logistics materials;
3. Lack of premises for storage of crime evidence taken during the on-site investigation;
4. The continuous training of forensic police officers is carried out only within the Police Academy or within training courses organized at the profile schools. There is a complete lack of professional training for specialists from the Forensic and Judicial Expertise Center to specify the practice of collecting, packaging and managing evidence. This situation is also due to the fact that the on-site investigation structures are subordinated to the investigation department and not to the Forensic and Judicial Expertise Center."

When asked what shortcomings are still valid at the end of 2020, from those identified by the expert in 2017, most respondents<sup>108</sup> (19) mentioned the issue of low numbers of PI criminologists and staff turnover. The poor quality of on-site investigation was reported by 18 respondents, the lack of professional training of forensic police officers by specialists of the FJEC was reported by 11 respondents and the lack of premises to store crime evidence was mentioned by seven respondents (Chart no. 13)

**Chart no. 13**



It should be mentioned that 12% of the respondents reported the validity of 3-4 shortcomings of the proposed ones, and 64% of the respondents mentioned the validity of 1-2 shortcomings of the proposed ones. At the same time, 23% mentioned that no shortcomings of the listed ones currently exist in the investigation activity. (Table no. 13)

<sup>108</sup> The questions about the investigation activity were answered by 6 heads of the investigation subdivisions and 36 heads of the PI.

**Table no. 13**

<b>Number of shortcomings reported as of the end of 2020 in police inspectorates</b>	<b>Number of respondents</b>
All 4 shortcomings	1
3 of those listed	4
2 of those listed	12
1 of those listed	15
None of those listed	10

At the same time, out of the 10 respondents that did not report any shortcomings from the list proposed, five respondents stated that there are no shortcomings in the investigation subdivisions, and another five mentioned other shortcomings (high workload, insufficient logistics and performant equipment, criminologists' lack of responsibility for the quality of evidence, etc.). Detailed comments on this can be found in Annex 6.

We present below the summary of the respondents' feedback regarding the shortcomings attested in the police inspectorates.

*Low number of criminalists and the staff turnover in the PI (19).* In this regard, at least two respondents stated that there is no criminalist in the PI, and two other respondents mentioned that only one criminalist activates in the PI (although according to the staff statements, there are several positions). At the same time, the respondents noticed that there is a lack of qualified staff, the new employees encountering difficulties in terms of on-site research. Additionally, one respondent noted that forensic experts are not motivated by pay and are limited in professional growth.

*Poor quality of on-site research (due both to insufficient professional training of police officers and to the lack of logistics materials) (18).* At least four respondents pointed out that the investigation subdivisions lack appropriate equipment and logistical materials for the on-site research. At the same time, at least 11 respondents specified that the professional training (including experience) of forensic experts leaves much to be desired and they require more training, including practical exercises.

*Lack of professional training of forensic police officers by experts from the Forensic and Judicial Expertise Center that would establish a standard practice of collecting, packing and managing evidence (11).* At least 7 respondents mentioned that PI criminalists have limited skills of conducting on-site research (they take mainly photos). Only NII employees have more developed skills in this respect. At the same time, some respondents noted that the gaining expertise takes a long time (at least a week) and it would be appropriate for the training to be performed within the PI (at least for some of the evidence raised on the spot) and to develop more practical skills for on-site investigation and expertise.

According to the GPI, the reform of the forensic services by creating the FJEC has positively solved most of the problems mentioned above and the GPI already feels the beneficial effect on the activity of investigation subdivisions. The opinions that it would be better to conduct expertise in the PIs presents a retrospective of the former forensic structure, marked by numerous deficiencies and shortcomings in infrastructure.

Likewise, the GPI expressed the position that, in the light of international regulations and the practice of other countries, the verticality of the current system of judicial expertise has a number of obvious

advantages<sup>109</sup> and with the strict delimitation of competencies, it was possible to minimize the time of examination, increasing the quality of performed expertise, meeting the requirements of international standards.

*Lack of premises to store crime evidence taken during on-site investigation (7).* At least five respondents highlighted the lack of necessary conditions for the storage of crime evidence. Thus, the respondents noted:

- Lack of premises for storage of toxic, radioactive substances;
- Lack of drying chamber for biological traces. The biological traces left in the bags are lost.
- Insufficient storage space.
- Inconformity of the premises for crime evidence with the requirements of the activity, including due to high humidity. Premises for crime evidence should be more efficient.

At the same time, one respondent stated that in 2021, a room for crime evidence will be renovated with the IP, and an estimate of expenses in this regard will be elaborated.

*Taking into account the above, the Promo-LEX Association considers that the efforts to acquire the technology have contributed and continue to contribute to on-site research capacities. However, the problems related to the lack / insufficiently qualified staff, staff turnover, including due to low salaries, the omission of changes in reorganization and regionalization of investigation structures, poor cooperation between the GPI subdivisions have diminished the positive effects the investments made could have had.*

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<sup>109</sup> The advantages of the verticality of the expertise system: the independence of judicial experts is ensured; the creation of centers of judicial expertise in the regions allows the performance of a qualitative management and an operative coordination of the activity in the technical-criminalistic field on the whole territory of the country, modernization, distribution and efficient use of the technical-material base and centralized endowment with specialized and modern technology, compatibility of the technology used, etc.

## OBJECTIVE 4: Creating a modern police service in line with the best international and EU standards and practices, able to respond proactively and equally to the needs of citizens and society as a whole

*Objective 4 contains sub-actions oriented towards bringing the police service in line with European and international standards. It is a general objective, which contains 3 actions and 20 sub-actions.*

*We consider that of 20 sub-actions, seven (35%) were fulfilled, one (5%) - unfulfilled. Another 10 (50%) were qualified as partially fulfilled, and in the case of two activities (10%), the Association could not decide on the grounds that they are too generally formulated or their indicators are not measurable.*

*Nine sub-actions expired in 2020, five (55.5%) of which were assessed as fulfilled and four (44.4%) as partially fulfilled. It should be noted that two of the sub-actions considered completed (4.1.1 and 4.1.2) had been fulfilled before the expiry of the deadline.*

*It should be additionally noted that the sub-action that was qualified in Report no. 3 with a considerable risk of non-achievement (4.2.10- Development of the integrated computer system of the Police), in this Report has been assessed as partially fulfilled.*

*With reference to the Policy Matrix, we note that following the actions taken in 2020, 421 police officers and 10 national trainers have been trained in community policing. Nineteen headquarters of police departments were reopened after capital repairs, the level of endowment with TETRA equipment of the GPI reached 43%, being purchased 370 radio terminals. Likewise, the average response time to citizens' emergency calls has been reduced to about 32 minutes, which is 3 minutes less than in 2019.*

### *Findings based on Police Development Strategy*

#### **4.1. Implementing the concept of Community Policing in the structures of the General Inspectorate of Police**

##### **4.1.4. Consolidating the district police officers' communication skills**

*Performance indicators: trainings conducted*

*Timeframe: 2017-2020*

According to the Progress Report on the implementation of the PDS, the following number of people have been trained in community policing in 2020:

**Table no. 14. Statistics on the people trained**

Organiser	Course/ workshop, Module/ field	Number of people trained
„Stefan cel Mare” Police Academy	Professional training / specialization course "Community Policing Activity", Module: Communication, psychological, tactical skills, applicable legal framework.	21 employees of PI
	Professional training / specialization course: "Domestic violence". Module: Psychology of types of violence. Effective communication with the aggressor.	32 21 employees of PI
	Retraining course (online) "Crime Investigations" Module: Questioning.	8 district officers



	Retraining course "Special investigative activity". Module: Efficient communication in a professional context	14 district officers
	(Online) Professional training / specialization course "Community Policing Activity I", Module: Efficient communication in policing activity.	10 district officers
	(Online) training / specialization course "Finding and documenting contraventions". Module: Efficient communication in policing activity	4 district officers
	Workshop in the field of ensuring public order in the "Dialogue-Police" groups Module: Communication in stressful situations.	15 employees of the public security departments within the police subdivisions

Thus, in 2020, **104 employees** from the police districts received training (compare to 362 people in 2019).

Unlike the data presented in the report on the implementation of the PDS, the GPI informed us, following the request for information submitted by Promo-LEX, that during 2020, a total of **1124 employees** engaged in ensuring public order, namely district police officers / non-commissioned officers, received training in "Communication" / "Communication with different categories of people", of which 44 were trained as trainers."

At the same time, considering the recommendation made in the Annual Reports on Civic Monitoring of Police Reform, we addressed the question whether "the impact of training on the consolidation of the communication skills of district officers was assessed and which are the results of the evaluation". To this question, the GPI stated that "the employees of the Department of Professional Training of the GPI, according to the job description, do not have the competence to conduct opinion polls, including on the impact of training on consolidation the communication capacities of police officers."

In interviews with the management of the territorial subdivisions of the GPI or the persons delegated by them, being asked about the trainings organized in 2020 at local level to consolidate the communication capacities of district police officers, 33 (78.6%) of the respondents confirmed and 9 (21.4 %) denied the conduct of such trainings. However, following the request for details on the trainings, at least 9 respondents out of 34, referred, in particular, to the trainings organized by the GPI, the Internal Protection and Anticorruption Service (IPAS), NAC, JLETC or the Police Academy, at least 3 referred to the trainings organized by the psychologist, or to the training with the topic "Stress Psychology" (1 - recognizing that the trainings did not have the expected effect).

At the same time, at least 5 respondents stated that meetings were held exclusively or mainly online, and nine referred to trainings within PI meetings or professional training classes.

*Taking into account the above and the recommendations made by Promo-LEX, in previous reports, we find that trainings of district police officers in the field of "Communication", were conducted annually, but for the purposes of sub-action 4.1.4, the trainings should have as their objective the consolidation of the communication capacities of district police officers, and the expectations were to organize special trainings dedicated to the communication skills of district police officers, and include the module in other courses, which inevitably contain elements of communication. In this context, we consider **sub-action 4.1.4 to be partially fulfilled**.*

*We remind you that Promo-LEX recommended for this sub-action both periodic evaluation of the communication capacities of district police officers and the impact of the trainings, recommendations which, unfortunately, were not taken into account, reference being made to the lack of skills, inclusively.*

#### **4.1.5. Developing the infrastructure of headquarters of both police stations and police inspectorates according to relevant standards**

*Performance Indicator: modernized infrastructure according to the standard model*

*Timeframe: 2017–2020*

Sub-action 4.1.5 of the Action Plan for the implementation of the Police Development Strategy coincides in the part of the development of the infrastructure of the police districts with the objective A.4.1 in the Policy Matrix for the implementation of the Budget Support. Therefore, the analysis of the degree of accomplishment of the actions in this segment is reflected in the objective A.4.1 and will not be described here.

Previously, Promo-LEX recommended the elaboration of a vision or concept for the modernization of the infrastructure of the police inspectorates, with the approval of the list of modernization work proposed to be carried out in the next period, as well as the execution schedule. Unfortunately, it appears that the recommendations were not taken into account, considering that a standard model for infrastructure modernization was not approved. According to the authorities, the attention of the implementing institutions was focused on modernizing the infrastructure of the police districts, including due to the lack of financial means for the infrastructure of the police inspectorates.

According to the Report on the implementation of the PDS in 2020, capital repair activities were carried out in 5 Police Inspectorates of Chisinau, PD in Chisinau, as well as in the Police Inspectorates of Ialoveni, Anenii-Noi, Cimislia, Glodeni, Bender, Ștefan- Voda, Soroca, Telenesti and Ungheni.

In the interviews with the management of the territorial subdivisions of the GPI or with the persons designated by them, being asked about the modernization work carried out in 2020, the respondents stated that modernization work was initiated or carried out in the premises of 19 (45.2%) inspectorates<sup>110</sup>, respectively, in 23 (54.7%) police inspectorates no modernization work was carried out.

The modernization work initiated and carried out in 2020 within the police inspectorates have been reflected in sub-action 1.6.1 and will not be described here.

We remind you that according to the Police Activity Report for 2019, one of the main achievements of the institution was the completion of the capital repairs, with the money allocated from the state budget, in the headquarters of Telenesti Police Inspectorate. We mention in this regard that at the date of the visit of the Promo-LEX monitor (March 2021), Telenesti PI was not put into operation, the entity being in trial with the economic agent, which performed the work.

*Taking into account the above, Promo-LEX appreciates sub-action **4.1.5. as partially fulfilled**, since according to the wording of this activity, the development of infrastructure according to a standard model had to take place not only in the premises of police districts, but also in those of police inspectorates.*

#### **4.1.7. Organizing prevention activities in accordance with the risks and trends of the organized crime**

*Performance Indicators: prevention measures performed; risk analysis reports developed*

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<sup>110</sup> Excluding modernization work in police stations or provisional detention facilities located in the same premises.

*Timeframe: 2017–2020*

According to the Progress Report for the implementation of the PDS, the specialized subdivision of the Police carried out 12 risk analysis reports, targeting the criminal phenomenon at national level.

In order to appreciate how the implementation of sub-action no. 4.1.7 evolved, we will refer to the prevention measures carried out in 2020, which should correspond to the crime trends attested in 2019. Thus, according to the Informative Note on crime prevention activity and the evolution of the phenomenon in 2019<sup>111</sup>, a decrease was attested in the following categories of offenses:

- Murder - by 5.03% (crimes against life and health);
- Rape by 23.55% (sexual offenses);
- Car thefts by 18.35% and fraud by 2.84% (crimes against property)
- Wrongful removal of children by 122.73% (crimes against family and minors).

At the same time, theft offences remained at a high level.

According to the Police Activity Report, in 2020, 23 raising awareness campaigns and actions were carried out. Most of the information and awareness-raising campaigns and activities of the population were organized in partnership with non-governmental organizations.

**Table no. 15. Awareness and information campaigns**

Aim of the campaign	Campaigns and operations carried out in 2019 to prevent crime
Preventing violence in families	"16 days of activism against gender-based violence", international campaign
Child safety and protection - prevention of juvenile delinquency, reduction of victimization	1. "Child + street - freedom or illusion?" 2. "A toy for children's smiles" 3. School + Sports + Police", Open Fan Football School project 4. "Education for legal socialization," project. 5. "Care", special operation
Traffic safety	1. „National campaign for voluntary blood donation in support of road traffic victims" 2. "Your child's safety is up to you" 3. "Transport your child in safely" 4. "Giving and taking bribes shall be punished by imprisonment" 5. "Fasten your belt for life"; 6. Raising awareness of the risk of falling asleep while driving, 7. "Road safety of adults and children traveling in transport units", 8. "Be saved by your seat belt".
Prevention of thefts and robberies	„Your safety matters!"
Reducing drug use and reducing HIV risks	1. „POPPY"; 2. " Better informed better cared"
Improving dialogue with citizens, Community policing, increasing civic responsibility	1. "Neighbourhood Surveillance" Program 2. "A cup of coffee with a cop" 3. "Caring Grannies" 4. "Alley of Safety"
Others	1. "Cascade" Operation 2. "Search" Operation 3. Nomad 2020, Regional Operation 4. Operation to combat trafficking in goods "

<sup>111</sup> [Informative note](#) on the activity in crime prevention and the evolution of the phenomenon in 2019

Also, during the reporting period, police employees conducted about **10,125 raids** as part of various programs and projects. Their purpose was to discourage delinquent behavior through the massive presence of police officers, by carrying out activities to prevent and combat the criminal phenomenon, as well as by restoring security in the community.

At the same time, according to the progress report for the implementation of PDS in order to organize crime prevention activities adapted to the local specifics, including according to the evaluation of criminal element and its trends at local level, the territorial subdivisions of the Police carried out 333 reports and 354 action plans based on crime analysis reports.

Additionally, in order to discourage delinquent behavior, to prevent and combat the criminal phenomenon, as well as to restore the degree of security in the community, the following activities were organized:

- 33087 information and awareness raising activities;
- 10139 raids;
- 57 information campaigns<sup>112</sup> by the Police Inspectorates, mainly in the fields of prevention of domestic violence, consequences of alcohol / drug use, prevention of property crimes and road accidents, juvenile delinquency, prevention of drownings.

Likewise, police officers, together with the members of specialized services, visited at home 206 755 persons supervised by the Police in order to prevent repeated crimes, as well as to identify alternatives in order to exclude the causes and conditions that favored risk situation.

*The Promo-LEX Association welcomes the conduct of local crime prevention campaigns carried out in line with the level of crime in the region. Thus, taking into account the fact that during the implementation period of the sub-action both prevention measures were carried out and risk analysis reports were prepared, we **qualify sub-action 4.1.7. as being fulfilled.***

## **4.2 Development of Intelligence-led policing concept and its extension on the entire territory of the Republic of Moldova**

### **4.2.5. Improving operational and tactical analysis capabilities**

*Performance Indicators: trainings organized and conducted; specialized equipment and software purchased, implemented applications; standard operating procedures on the collection of information established.*

*Timeframe: 2019–2020*

According to the Progress Report on the implementation of the PDS, the Instruction on the procedure for initiating and conducting information and risk assessment analysis, and the Regulation on classification, development, recording and storage of analytical products under the GPI were approved on 24.12.2020. At the same time, the Information Analysis Department developed analytical tools for force planning for the territorial subdivisions.

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<sup>112</sup> DP mun. Chisinau (4), Balti PI (3), Ceadir-Lunga PI (10), Briceni PI (4), Leova PI (2), Singerei PI (6), Straseni PI (3), Donduseni PI (4), Vulcanesti PI (2), Soroca PI (4), Edinet PI (2), Glodeni PI (2), Cantemir PI (2), Soldanesti PI (4), Stefan Voda PI, Ocnita PI, Drochia PI and Comrat PI - 1 campaign each

At the same time, during the year, **8 trainings** in risk analysis, operational and tactical analysis were organized and carried out, **71 employees** being trained:

- within the training / specialization course "Information Technologies", provided by the "Stefan cel Mare" Police Academy, 11 Police employees were trained in "Diminishing the risks of cyber-attacks";
- training in terrorist financing risk assessment, in the framework of the EU/CoE Joint Project "Fighting Corruption through Law Enforcement and Prevention (CLEP)", in partnership with the Service for Prevention and Combating Money Laundering, 3 people being trained;
- training course "Analysis of information on statements", offered by the Federal Bureau of Investigation of the US Department of Justice, 16 employees being trained;
- (online) training / specialization course "Operational Management I", organized by "Stefan cel Mare" Police Academy, topics related to information analysis, risk assessment, and activity planning following the analysis, 19 Police employees being trained;
- online training course "Criminal Analysis in the EU Virtual Conference" Europol, 3 Police employees participated;
- an employee was trained in the training course "Managing security risks and crises, including terrorism";
- an employee attended the online training session with the manufacturers of 'Maltego XL' software, which specializes in searching for open-source information.

At the same time, during the fourth quarter of 2020, the employee who holds the status of trainer within GPI, participated in the training of 19 employees (investigation officers).

We remind you that in previous years, reference was made to the Concept of reporting threats and vulnerabilities to public order and community security "**Threat Map**"<sup>113</sup>, approved by GPI Order no. 265 of 08.06.2018. However, according to the results of interviews with the leadership of police inspectorates in early 2020, 8 respondents said they did not use it, another 8 used it, but found it irrelevant and of limited utility, and 24 considered it useful and effective.

At the request for information submitted by Promo-LEX on March 31, 2021, being asked about the standard operational procedures developed and established for collecting information to improve operational and tactical analysis capabilities, about the specialized equipment that was purchased and the software applications implemented, the GPI only referred to the same normative acts approved on 24.12.2020 (Instruction on the procedure for initiating and conducting information analysis and risk assessment under the GPI, and the Regulation on classification, elaboration, recording and storage of analytical products under the GPI).

*Considering that in the period of 2019-2020 trainings were organized and carried out in the field of operational and tactical analysis, some normative acts in this regard were elaborated and approved, but no specialized equipment was purchased and no information applications were implemented, we qualify **this sub-action as partially fulfilled**.*

At the same time, in order to observe the perception of the territorial subdivisions on the activities carried out in operational and tactical analysis, in interviews with the management of police inspectorates or their designees, we asked questions about their operational and tactical analysis capabilities. Thus, 32 (76%) respondents stated that their operational and tactical analysis

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<sup>113</sup> <https://bit.ly/2KxlPo1>

capabilities were improved in the period of 2019-2020, and 9 (21%) - denied this fact. Among those who confirmed the improvement of operational and tactical analysis capabilities:

- 17 mentioned that specialized equipment was purchased (they were equipped with computers; they were equipped with high-performance equipment). On the other hand, at least two respondents mentioned that it is necessary to equip them with appropriate special equipment, including providing them with training on its use according to a clear regulation, which does not currently exist;
- 20 mentioned that information applications were implemented (the CASPER system was set up (5); E-Data, ACCESS Base). On the other hand, at least 2 respondents mentioned the lack of access to databases and information systems;
- 29 respondents mentioned that standard operational procedures for information collection were established ("the analysis report was modified, the reports are prepared monthly"; "NII have implemented and are implementing many operational procedures") there are programs for tactical operational analysis<sup>114</sup>;
- 29 respondents mentioned that trainings were organized and conducted in this regard ("the criminal investigation section was trained very effectively." "A series of trainings were conducted" (2); in addition to participating in trainings, the work and personnel tactics was modified, and the PI management motivated and encouraged the employees of the subdivision").

At the same time, at least 2 respondents stated that they do not have an employee responsible for information analysis / there are not specialists in the field, and another employee mentioned that one of the problems of the investigation subdivision is that the salary leaves much to be desired.

*Appreciating the results of the interviews, the Promo-LEX Association finds that there is no single vision on the activities carried out, or which need to be carried out in the field of tactical and operational analysis at the level of territorial subdivisions. At the same time, we note with regret that the Promo-LEX recommendation to carry out the necessary actions to achieve all indicators, including those related to the purchase of specialized equipment, the effective implementation of information applications, the establishment of standard operational procedures for information collection and development. The "Threat map" and its promotion were not taken into account by the implementing institution.*

#### **4.2.9. Realization of the voice-data communication network of the Police**

*Performance indicator: created and operationalized network*

*Timeframe: 2019–2020*

According to the Progress Report on the implementation of the PDS, in 2020 the following actions were carried out in order to create and operationalize the TETRA network:

- contacts for the lease of technological spaces and electricity provision were concluded with the economic operators Orange JSC, Moldcell JSC, Moldtelecom JSC and Radiocommunications SE.
- technical expertise of the communication towers was performed to ensure the installation of the equipment.
- the last delivery of the equipment according to the contract was received.
- 15 main stations were installed and put into operation.

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<sup>114</sup> According to the Report on the implementation of the PDS for 2020, the normative act that regulated the procedure for initiating and conducting the tactical analysis was repealed by GIP Order 424/2020.

- the interconnection of the TETRA radiocommunication network with VoIP (IP telephony) of the Ministry of Internal Affairs was performed;
- business trips were made for the commissioning and acceptance of equipment installation work in order to modernize TETRA, LAN and WAN.
- 8 MW (microwaves) were installed to create the redundancy of the data transmission networks in the TETRA MAI radiocommunications system.
- the interconnection of MSO A (IGPF) with MSO B (Traian, 23/1 TSI of MAI) was performed through optical fibre.
- the radio signal coverage areas were tested. Thus, the coverage with radio signal of all police inspectorates and national roads was tested, the results of the verifications showed a 96.4% coverage (of all police inspectorates and national roads) nationally for portable stations.
- the acceptance documents were completed.
- The GPI purchased 130 mobile radio terminals; 200 portable radio terminals; 30 stationary radio terminals; 10 camouflaged radio terminals.

At the same time, according to application of the Joint Law Enforcement Training Centre, the employees of Information Technology Department of the MIA organized online courses for continuous training of guards and dispatchers (a total of 130 trained employees), in TETRA system (stationary and portable radio stations), possibilities and technical capabilities, as well as their use in different situations”.

We remind you that according to the Report on the evaluation of the pilot phase, at the end of 2019 the level of endowment with TETRA equipment within the GPI was 31% (917 units), out of the total required number of 2,950 units. Thus, taking into account the number of terminals purchased in 2020, we find that **in 2020, the level of endowment with TETRA equipment increased to 43% (1287).**

Promo-LEX mentions that sub-action 4.2.9 of the PDS Action Plan coincides with objective A.4.2 of the Policy Matrix for the implementation of Budget Support "Ensuring a reliable and efficient communications system for operational purposes within the Police". Thus, the degree of achievement and the corresponding conclusions are formulated within that objective and will not be repeated here.

*Considering that the given voice network was created and operationalized, we qualify **the sub-action 4.2.9. as being fulfilled**. However, we mention that by the end of 2020, the needs of equipping the GPI with TETRA equipment were not covered, and a large part of the police inspectorates did not use it.*

#### **4.2.10. Development of information integrated system of the Police**

*Performance Indicator: system developed*

*Timeframe: 2017–2020*

According to the progress reports for the implementation of the PDS, in 2017, the design of LAN networks for 44 territorial subdivisions of the Police was carried out with the support of UNDP, within the project “Support for Police Reform”. In 2018, they managed to successfully implement 2 of the 44 LAN network execution projects within Criuleni PI and Telenesti PI. In 2019, it was possible to connect 106 objectives registered with the GPI or its subordinate units to the WAN system of the Ministry of Internal Affairs. This was to enable LANs to be interconnected and to ensure a secure flow of information, especially in the process of querying databases.

At the same time, according to the report on the implementation of the PDS in 2020, the feasibility study for creating the INTRANET platform for the Police was conducted within the external assistance project "Support for the reform of law enforcement institutions in Moldova", implemented by UNDP and funded by the US Embassy in Moldova. In addition, the technical specification for the contracting of design services of the INTRANET platform of the Police was delivered. Finally, according to the implementing institutions, financial sources for the implementation of the project are to be identified.

It should be mentioned that through a financial project, the GPI planned to implement at least nine projects for the execution of the LAN network in the police inspectorates located in the area bordering the Dniester River in 2020. Thus, being asked, in the request for information, if in 2020 LAN network execution projects were implemented in the police inspectorates, the implementing institutions informed us that LAN infrastructure within the Police inspectorates is developed to a share of 70%. However, out of the total territorial subdivisions, in only two inspectorates, the LAN infrastructure was built according to the project documentation, made with the support of UNDP in 2016.

At the same time, in 2021, in the context of the "COMINF" implementation, the construction of the LAN network in **nine Police Inspectorates located in the Eastern part of the Republic of Moldova** is planned, the procurement procedure for contracting the work being planned for the beginning of 2021.

According to the implementing institutions, in order to ensure the automation of the Business key processes of the MIA and IT&C solutions regarding the signal management at MIA level, the information system WFMS (Workflow management system) is in the piloting process, which has the following functions:

- 1) It has a single register, in electronic format, of all signals received by the subdivisions within the MIA, regardless of the type of signal and the source of information;
- 2) Registration of important information on situations of interest to the MIA (events) for their subsequent management by recording planned and ongoing preliminary measures;
- 3) Providing information in a unitary structured format for all categories of facts (criminal, misdemeanour or disciplinary offenses).

At the same time, in the process of piloting the WFMS information system, the employees of the GPI Information Analysis Department developed preliminary versions of statistical reports that will be generated by the system, using the indicators of information collected and data stored.

Thus, following the generalization of the reported data during the testing period of the WFMS application software for business automation of key MIA processes and IT&C solutions, the implementing institutions mentioned that the existing information databases are much more practical and accessible for users.

It should be emphasized that according to the Report of the Court of Accounts<sup>115</sup>, approved by Decision no. 82 of December 28, 2020, the WFMS System for the implementation of the key business

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<sup>115</sup> [Performance audit report](#): "How do the activities carried out for the creation / development, implementation and management of public sector information systems contribute to the efficient use of the resources allocated for this purpose?"



processes of the MIA is among the information systems that represent significant investments - 14.3 million lei (external sources, partially functional, unused)<sup>116</sup>.

In addition, according to the implementing institutions, outside the monitoring period, the following subdivisions were connected to the "Document Management" system: National Inspectorate of investigations - 19.01.2021, National Inspectorate of Public Security - 27.01.2021, General Directorate of Criminal Investigation - 26.01.2021, Police Directorate of Chisinau - January 29, 2021 for the automation and digitization of work processes (with a focus on teleworking) to minimize the risk of COVID-19 infection. In the period of 01-15.02.2021, the system was extended to: Canine Directorate, "Fulger" SPPB, Witness Protection Directorate, Justice Interaction Directorate, International Police Cooperation Directorate, Technical-Material Supply Directorate. Thus, the information system was 100% extended to the specialized subordinated subdivisions.

*Taking into account those highlighted above, the Promo-LEX Association notes that some actions for the development of the integrated police information system have been carried out, and so we qualify **sub-action 4.2.10 as partially fulfilled**. However, we emphasize that for the full implementation of the integrated information system, it is necessary to develop the appropriate infrastructure. We remind you that in Report no. 3 on civic monitoring of police reform, Promo-LEX emphasized the risk of failure to meet the indicator set for the implementation of sub-action 4.2.10 in 2020.*

#### **4.3.3. Improvement of the communication capacities of the staff involved in the integrated management of urgent calls**

*Performance Indicators: trainings organized and conducted*

*Timeframe: 2017-2020*

According to the Report on the implementation of the PDS, 6 training courses attended by 173 employees were held in 2020:

- 1) the training / specialization course "Operational Management" organized by the "Ștefan cel Mare" Academy, 18 employees being trained;
- 2) 2 (online) specialization courses for the guard and dispatcher service personnel, organized by JLETC, 80 employees (officers and non-commissioned officers) being trained;
- 3) training course (online) "Protecting police officers during stopping and checking transport units, intercepting the person, as well as responding to 112 emergency calls" organized within the EU project "Support for police reform in the Republic of Moldova", with the support of German experts, 42 employees being trained;
- 4) training / specialization course (online) "112 call management", organized by the "Ștefan cel Mare" Academy, 14 dispatchers within the Police subdivisions being trained;
- 5) (online) training / specialization course "Operational Management I", organized by the "Ștefan cel Mare" Academy; aspects related to professional and personal communication being covered. 19 employees from the subdivisions were trained.

*Taking into account the above and the recommendations made by Promo-LEX, in the previous reports, we find that trainings of the personnel involved in the integrated management of emergency calls were*

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<sup>116</sup> According to the information presented by the MIA for the audit of the Court of Accounts, the WFMS System (Work Flow Management System) was purchased in 2017. It consists of 3 components, including the Integrated Emergency Management System (IEMS) and WFMS, which, **although partially functional, has not been put into operation, nor is it used, and in the accounting records it is recorded as a tangible asset under construction**. Moreover, the audit found that the System was developed in the absence of the necessary documents (Concept, Regulation), approved in the established manner. However, in the context of the operation of 112 Service, there is a major risk that the IEMS component of the System will not be used.

*performed annually, but, within the meaning of sub-action 4.3.3, the trainings had to have as an objective to improve the communication skills of the staff involved in taking emergency calls, and the GPI was expected to organize and conduct trainings specifically dedicated to communication skills, and not modules included in other courses, which could cover tangentially communication in emergency calls. Thus, we appreciate **sub-action 4.3.3. as partially fulfilled**.*

*We remind the reader that Promo-LEX recommended for this sub-action a periodic repetition of the exercise carried out in 2016 - to make control calls, in order to evaluate the real evolution of the communication skills of the staff involved in taking emergency calls, as well as the impact of trainings, recommendations which, unfortunately, were not taken into account.*

#### *Findings based on Policy Matrix*

##### **A.4.1. Implementation of the Concept of Community Policing, by improving the physical and informational access to quality and equal services of the Police throughout the country**

*Indicator 2020<sup>117</sup>: Implementation of the concept of community policing and in-service training in the field of community policing (a minimum of 200 additional trained police officers).*

The annual progress report<sup>118</sup> and the consolidated report (2017-2020)<sup>119</sup> for the implementation of the Action Plan on community policing was published on [www.politia.md](http://www.politia.md).

According to the Annual Report, the main achievements in 2020 are the following:

- ✓ training in community policing - 48 police officers trained by the “Stefan cel Mare” MIA Academy, 373 police officers - on the JLETC platform, and 10 national trainers - within the Swedish Police Project;
- ✓ elaboration of 303 risk analysis reports and 322 crime prevention plans by the territorial subdivisions;
- ✓ initiation and organization of 57 crime prevention information campaigns by police inspectorates.
- ✓ contracting design services for 3 police units, the project documentation being elaborated, verified and expertized;
- ✓ initiation of 11 public tenders for the repairs of the headquarters of police units;
- ✓ concluding contracts and starting repair work at 19 police units;
- ✓ reopening after capital repairs of 19 headquarters of the police units;
- ✓ 39 police units received free of charge 3 computers each (117 units);
- ✓ conclusion of 74 collaboration agreements between the territorial subdivisions of the police and local public authorities and other members of the community, 165 collaboration agreements between the territorial subdivisions of the police and civil society, and 19 collaboration agreements between the GPI and other entities.

At the same time, with regard to the public opinion poll at the end of the project implementation period, according to the report, the action was suspended and proposed to be carried out within the Swedish project, in order to avoid duplication of actions. The Swedish project plans to carry out the survey in the first quarter of 2021 due to the consequences of the state of emergency in public health.

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<sup>117</sup> The 2020 performance criteria for achieving the objectives of the Policy Matrix have been excluded.

<sup>118</sup> 2020 annual progress report on the achievement of the objectives of the Action Plan on community policing

<sup>119</sup> 2017-2020 Consolidated report on the implementation of the Action Plan on the implementation of the community policing

Taking into account the above, Promo-LEX appreciates the efforts in the field of training in community policing of more than 370 non-commissioned officers based on the initial training program within JLETC. However, we found that only 40 officers have been trained in community policing within continuous education program of the Police Academy.

In addition, it should be mentioned that between February and March 2021 Promo-LEX monitors visited the police units renovated and modernized in 2020 (except for Police Unit no. 3 Cocieri, Dubasari), assessing their compliance with the Concept on technical requirements for the operation of the Police, approved by the GPI Order no. 286 of June 22, 2018.

**Table no. 16.** Police units renovated and modernized in 2020, observed by Promo-LEX monitors

No.	Police Inspectorate	Police Unit (PU)	Date of commissioning	Population serviced by the PU	Total area of the premises <sup>120</sup> (m <sup>2</sup> )	Number of employees according to the personnel statement	Number of employees at the moment of visit	Number of transport units
1.	Dubasari PI	no. 2 Cosnita <sup>121</sup>	08/12/2019	12662	50	9	9	2
2.	Floresti PI	no. 3 Ghindesti	26/01/2020	25 078	161	16	16	4
3.	Ceadir-Lunga PI	no. 1 Ceadir-Lunga	02/2020	27 700	~200	10	10	2
4.	Bender PI	no. 2 Varnita	25/03/2020	5 300	93	7	7	1
5.	Stefan-Voda PI	no. 4 Talmaza	15/06/2020	13 456	156	7	7	1
6.	Soldanesti PI	no. 2 Cotiujeii Mari	05/08/2020	18 790	98	10	9	3
7.	Floresti PI	no. 2 Marculesti	05/08/2020	25 000	140	13	13	2
8.	Causeni PI	no. 3 Cainari	08/08/2020	13 637	147	8	6	1
9.	Vulcanesti PI	no. 2 Cismichioi	09/2020	8 560	~180	4	3	1
10.	Vulcanesti PI	no. 1 Vulcanesti	09/2020	15 000	~300	6	6	1
11.	Briceni PI	no. 2 Corjeuți	12/10/2020	21 636	99	9	9	2
12.	Cantemir PI	no. 1 Cantemir	20/10/2020	23 000	270	12	12	2
13.	Singerei PI	no. 5 Singerei Noi	28/10/2020	19 725	102	11	11	2
14.	Drochia PI	no. 2 Pelinia	16/12/2020	15 224	160	9	6	1
15.	Glodeni PI	no. 1 Glodeni	18/12/2020	8 600	150	10	7	1
16.	Soroca PI	no. 5 Stoicani	30/12/2020	22 400	200	11	11	2
17.	Ceadir-Lunga PI	no. 3 Cazaclia	12/2020	7 500	~150	6	6	1
18.	Calarasi PI	nr. 3 Horodiște	19/02/2021	13 000	115	8	7	3
19.	Criuleni PI	no. 2 Dubasarii Vechi	<i>It was not commissioned<sup>122</sup></i>	18 500	100	10	10	1

<sup>120</sup> The total area of the offices PU 1 Vulcanesti, PU 1 Ceadir-Lunga, PU 3 Ceadir-Lunga and PU 2 Vulcanesti is indicated in approximate values, at the respective police units, at the time of the visit there being no cadastral act or plan. According to the respondents, they were sent to ATUG and then sent to GIP.

<sup>121</sup> PU no. 2 Cosnita, Dubasari was visited in March 2020, being put into operation at the end of 2019, but it was reopened in 2020.

<sup>122</sup> PU no. 2 Dubăsarii- Vechi Criuleni was not put into operation, as the electricity meter was to be installed; the PU had to be connected to Internet services, displayed road signs related to the police unit; information panel and visibility materials were to be displayed.

20.	Drochia PI	no. 5 Chetrosu	<i>It was not commissioned</i> <sup>123</sup>	22910	200	-	-	-
21.	Ocnita PI	no. 1 Ocnita	<i>It was not commissioned</i> <sup>124</sup>	17 638	250	11	9	3
22.	Comrat PI	no.2 Dezghingea	<i>It was not commissioned</i>	8 000	150	4	4	2

From the table above, one can notice that the smallest headquarters of the police units, taking into account the number of persons serviced by the police unit, are PU no. 2 Corjeuti, Briceni; PU no. 5 Singerei - Noi, Singerei; PU no. 2 Cotuijenii Mari, Soldanesti.

Based on the objective of providing citizens with quality and equal police services throughout the country and taking into account that population size is one of the main criteria for creating police units, we believe that there should be a proportionality between the number of employees in the police units<sup>125</sup> and the population served.

Thus, we point out that in the observed police units, the number of employees, according to the personnel statements, is not proportional to the number of the population served. For example, in PU no. 1 Glodeni, 10 employees serve 8,600 people (on average 757 pers. / employee), and at the opposite side - in SP no. 1 Ceadir - Lunga, 10 employees serve 27,700 people (on average 2770 pers. / employee), the PU no. 1 Vulcanesti - 6 employees serve 15,000 people (average 2500 pers. / employee), PU no.2 Corjeuti, Briceni 9 employees serve 21636 people (average 2400 pers. / employee). *Taking into account the findings of the monitors on the compliance of police units with the operating requirements (Annex 7), Promo-LEX concludes that the renovated police units largely ensure the conditions for policing, including community-based policing, offering substantially improved working conditions for employees. However, by reference to the technical requirements for the operation of the Police Unit, approved by GPI Order no. 286 of June 22, 2018, we find that only three police units meet all the mandatory criteria – PU no. 1 Vulcanesti, PU no. 3 Cainari, Causeni, PU no. 2 Cosnita, Dubasari. The other police units do not meet one or two mandatory criteria each, and do not comply with several recommended conditions. At the same time, in comparison with the observed police units, PU no. 2 Dubasarii Vechi, Criuleni is the one that does not correspond to the criteria established by conception most of all.*

At the same time, although not much time has passed since the modernization of the respective police units, shortcomings of the work have already been identified in at least 6 police units (PU no.1 Ocnita, PU no. 2 Comrat, PU no. 3 Ghindesti, Floresti<sup>126</sup>, PU no. 3 Horodiste, Calarasi<sup>127</sup>, PU no.2 Cotuijenii

<sup>123</sup> According to the management of Drochia PI, the headquarters of PU no. 5 Chetrosu, Drochia were not put into operation due to incorrect documents and erroneous connection to the gas pipeline (which has no gas). At the time of the visit, the PU headquarters were closed and not active, so it was not possible to observe the headquarters inside, due to the absence of keys.

<sup>124</sup> The commissioning of the PU no. 1 Ocnita is delayed due to objections to the repair work carried out. According to the management of Ocnita PI, the term for completing the work and putting it into operation is not known, and the economic agent did not specify for the beneficiary a term for remedying the shortcomings, it did not even initiate the removal of the shortcomings.

<sup>125</sup> According to point 22 of the Regulation on the organization and operation of the GIP, police units represent lower units of the Police that can be created according to the territorial principle and the number of population, taking into account the location of important macroeconomic or strategic objectives, as well as compact location of the settlements served.

<sup>126</sup> Deficiencies of the work in PU no. 3 Ghindesti, Floresti - poor exterior lighting, unfinished sewerage, in some offices the paint on the interior walls falls, the heating boiler does not keep the water pressure, lack of faucet and sink in the kitchen, lack of ventilation parts.

<sup>127</sup> Deficiencies of the work in PU no. 3 Horodiste, Calarasi - although in the project, initially the work in the hall and the installation of the canopy for 2 cars was foreseen, it was not executed by the contracted economic agent. According to the GIP, the abandonment of some work in the modernization process is not a shortcoming of the repair work, but a change in the volumes of work, coordinated with the beneficiary.

Mari, Soldanesti<sup>128</sup>) or lack of necessary equipment (PU no. 2 Drochia - insufficiency of computers and printers<sup>129</sup>).

According to the GPI, at the time of monitoring visits, the work had not yet been received in some objects, and in the procedure covered by the Reception Commission, some additional shortcomings were also found, liquidation deadlines being set. At the same time, economic operators have the obligation to intervene and resolve all possible non-conformities revealed during the warranty period, except for actions generated by human and / or natural factors; warranty period offered, ranging from object to object, from 5 to 10 years.

In view of the **objective of renovating 90 police units**, we note that according to the annual report on the implementation of the Action Plan on community policing, in the period of 2017-2020, work has begun to improve the infrastructure of police units in 56 settlements, **the work being completed in 31 police units reopened for operation**. Another 25 police units are at various stages of completion of modernization work and are to be reopened in 2021. However, in 34 police units the infrastructure has not been improved due to insufficient planning of financial resources and the COVID-19 pandemic.

*We recall that Promo-LEX noted in the previous annual report that although the efforts to renovate the police units were huge, reaching the indicator for the renovation of 90 police units was at risk, even before the COVID-19 pandemic. At the same time, by establishing the state of emergency in the period between March and May 2020, the development of any work was suspended. We appreciate the efforts made to put into operation and complete the work in as many police units as possible.*

In addition, we present the results of interviews with representatives of 21 police units renovated and modernized in 2020:

- at least 10 (47%) respondents mentioned that district officers perform non-specific duties or duties that are not included in their job description (forced bringing of debtors or defendants, carrying out measures such as “caring grandparents”, collecting information on persons who join various protests, including which parties they represent and what means of transport they use, participating in operative response activities, patrolling, ensuring public order in mass meetings, activities to prevent the spread of COVID-19 and verification of recreational sites). In this context, according to the GPI, working with citizens in the forms indicated above is part of the community policing activity. The GPI also specified that, pursuant to point 9 of the Code of Ethics and Deontology of the civil servant with special status within the Ministry of Internal Affairs, approved by Government Decision no. 629/2017, the civil servant with special status must execute the legal orders received from their superiors. At the same time, it has the right to refuse the execution of those orders that are obviously illegal and to communicate such situations in writing to the hierarchical superiors. It cannot be sanctioned or prejudiced for refusing to carry out illegal orders and dispositions;

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<sup>128</sup> Deficiencies of the work in PU no. 2 Cotiujeii Mari, Soldanesti - in some offices cracks in the walls began to appear.

<sup>129</sup> According to the GIP, the mention of equipment shortages is a subjective position, without consulting the institution's policy on the endowment of the police units. Thus, each modernized police unit received a minimum of office equipment, being distributed a multifunctional printer to each police unit in 2017 as a continuation of the process of equipping with printers previously initiated and 3 computers (All in one) at the opening of the modernized police units. Although the provision of computing technology is included in the list of stringent needs communicated by subdivisions (the ideal option - a workstation for an employee), the solution implemented by the GIP, offers the possibility of using the same workstation by multiple employees by creating secure accounts with BIOS access. The specifics of the activity of the district officer offers the possibility to successfully perform the tasks. Moreover, the use of multifunction printers and their connection to several workstations reflects the institution's policy of streamlining public spending, without affecting the work processes within the institution.

- at least five (23%) respondents stated that they did not have job descriptions, their activity being guided by regulations, legislation and by the orders of hierarchical superiors, and two other (9.5%) respondents stated that the job description was not changed after 14.06.2018, they are activating according to an old job description<sup>130</sup>. We highlight that according to the GPI, based on the GPI Provision no. 367/2020<sup>131</sup>, the inventory of personal files was carried out at the end of 2020, and therefore, copies of job descriptions signed by the Police employees were found;
- all respondents confirmed that they had received training in community policing.

*Thus, we conclude that the problem of improper duties of district officer / non-commissioned officer persisted in some police units at the end of 2020. At the same time, uncertainties regarding the change in the job description of district officers / non-commissioned officers could be generated both by the omission of the application of the approved normative acts, and by the non-bringing or inefficient bringing to the knowledge of the employees of their rights and obligations according to the job description. We believe that effective communication, especially with regard to the duties and competencies of employees, must be a priority for the management of the GPI and the management of the specialized and territorial subdivisions.*

#### **A.4.2. Ensuring reliable and efficient communications for operational purposes within the Police**

*Indicator 2020<sup>132</sup>: Fully implemented secure communications system*

The progress report on the implementation of the project "Ensuring a reliable and efficient communication system for operational purposes within the Police" and the MIA Action Plan on the implementation of the TETRA standard communications network within the MIA<sup>133</sup> was published on [www.politia.md](http://www.politia.md).

According to the Report in 2020, the following actions were carried out in order to create and operationalize the TETRA network:

- contacts for the lease of technological spaces and electricity supply were concluded with the economic operators Orange JSC, Moldcell JSC, Moldtelecom JSC and Radiocommunications SE.
- technical expertise of the communication towers was performed to ensure the installation of the equipment.
- the last delivery of the equipment was carried out in line with the contract provisions.
- 15 main stations were installed and put into operation.
- the interconnection of the TETRA radiocommunication network with VoIP (IP telephony) of the Ministry of Internal Affairs was performed;
- business trips were made for the commissioning and acceptance of equipment installation work in order to modernize TETRA, LAN and WAN.

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<sup>130</sup> According to the GPI, when entering the office, each employee will mandatorily sign the job description. Police units modified job descriptions were approved in June 2018, with the obligation of human resources services to adjust the personal files of employees. According to the GPI, this only indicates that the employees are unaware of the situation regarding the job descriptions and does not mean that they are missing. their absence. Failure to recognize the fact is related to the absence of the desire for self-training of some employees.

<sup>131</sup> GPI provision no. 367/2020 "On the inventory of personal files of civil servants with a special status under the management of the subdivisions of the central administration and administrative authorities under the General Inspectorate of Police, as well as the review of data stored in the "Collaborator" information system.

<sup>132</sup> The 2020 performance criteria for achieving the objectives of the Policy Matrix have been excluded.

<sup>133</sup> [Progress report](#) on the implementation of the project "Ensuring a reliable and efficient communications system for operational purposes within the Police" and the MIA Action Plan on the implementation of the TETRA standard communications network within the MIA

- 8 MW (microwaves) were installed to create the redundancy of the data transmission networks in the TETRA MAI radio communications system.
- the interconnection of MSO A (IGPF) with MSO B (Traian, 23/1 TSI of MAI) was performed through optical fibre.
- the radio signal coverage areas were tested. Thus, the coverage with radio signal of all police inspectorates and national roads was tested, the results of the verifications showed **a 96.4% coverage** (of all police inspectorates and national roads) nationally for portable stations and **99.8%** for mobile stations.
- the acceptance documents were performed.
- The GPI purchased 130 mobile radio terminals; 200 portable radio terminals; 30 stationary radio terminals; 10 camouflaged radio terminals.

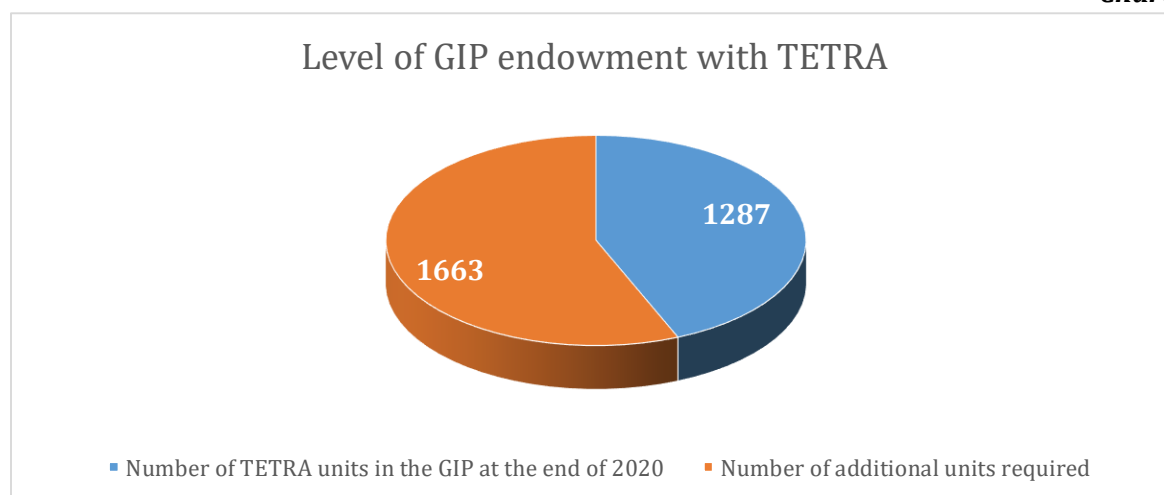
At the same time, in 2020, they equipped the GIC under the MIA with 180 radio terminals and GIBP under MIA with 206 radio terminals.

- online courses of continuous training of guard and dispatchers were organized (a total of 130 trained employees), on the topic “TETRA system (stationary and portable radio stations), technical possibilities and capabilities, as well as their use in different service situations”.

In addition, according to the report, the performance indicators under the Financing Agreement have been fully fulfilled, all stationary and mobile patrols being connected and monitored through the GPS system, and the system being used by all Police Inspectorates under the GPI.

We remind you that according to the Report on the evaluation of the pilot phase, at the end of 2019 the level of endowment with TETRA equipment within the GPI was 31% (917 units), out of the total required number of 2,950 units. Thus, taking into account the number of terminals purchased in 2020, we find **that in 2020, the level of endowment with TETRA equipment increased to 43% (1287).**

**Chart no. 14**



At the same time, we note that the implementation of sub-actions on the development and approval of the Regulation on the operation of the TETRA network and the development of instructions for the use of terminals was not reported in the Action Plan, the deadline for these activities being semester II 2019 – semester I 2020.

The results of the interviews conducted with the management of the police inspectorates / police directorate or the persons designated by them are presented below:



- 35 (81%) of the respondents stated that they received TETRA equipment in 2020, and 6 (14%) stated that they did not receive it this year, (two of them mentioned that they received TETRA equipment in 2019, and one- in 2021).
- when asked if all employees involved in operational reaction activities (employees who must have this equipment) have it, 27 (69%) gave in affirmative and 12 (31%) – negative answers;
- At the same time, being asked if employees were trained in 2020 to use TETRA terminals, 21 (54%) gave affirmative and 18 (46%) – negative answers.

**Table no. 17**

Of those who gave affirmative answers (21)	Of those who gave negative answers (18)
<ul style="list-style-type: none"> <li>- At least 2 respondents stated that at the time of the interview, TETRA equipment was not yet / could not be used (because the equipment was not connected to the network or “the antenna was not installed”).</li> </ul>	<ul style="list-style-type: none"> <li>- At least 10 respondents stated that they do not use TETRA equipment (because the devices were not connected to the network at that time (3), or because they were not trained)</li> <li>- At least 3 respondents mentioned that the equipment is not very used or only a small number of equipment is used (“because 112 Service employees most often use mobile phones, and less often the radio station” / “mobile telephony is accessible”)</li> </ul>
<ul style="list-style-type: none"> <li>- While 3 respondents stated that employees were trained on the use of Information Technology equipment used by the MIA / GPI, another 4 respondents mentioned that special training on the use of TETRA was not carried out, only the head of the territorial subdivision showed the employees how to work with this equipment during working sessions.</li> </ul>	<ul style="list-style-type: none"> <li>- <b>At least two respondents stated that they did not receive training in the use of IT equipment,</b> being trained by the head of the territorial subdivision / head of department (trained by the IT experts) and self-trained.</li> </ul>
<ul style="list-style-type: none"> <li>- At least 3 respondents mentioned that regular training or further training is still needed.</li> </ul>	<ul style="list-style-type: none"> <li>- At least one respondent stated that the equipment is simple to use, and the employees are doing well, even if they have not been trained.</li> <li>- Another 2 respondents mentioned that they were trained in 2019.</li> </ul>

At least 7 (19%) respondents confirmed that there are areas where TETRA equipment has no coverage. According to the respondents, the non-coverage area varies between 8% and 65%.

*Thus, we find that the TETRA equipment was not used within at least 15 PI, or it was used to a lesser extend at the beginning of 2021; the training of the people who were to use was uneven. It should be mentioned that the orders of the GPI on the use of TETRA equipment in 2020 date from November 4 and December 29. Respectively, it was not possible to ensure the use of TETRA equipment in all police inspectorates by the end of 2020.*

*In view of the above, the Promo-LEX Association appreciates the efforts made to ensure a reliable and efficient communication system for operational purposes within the Police and to equip the specialized and territorial subdivisions with TETRA equipment. Also, Promo-LEX reiterates the recommendation regarding the continuation of efforts to endow the GPI subdivisions with TETRA equipment and to conduct appropriate training of the persons involved in operative response activities.*



#### A.4.3. Improving the rapid response capabilities of police response teams to emergency calls

*Indicator 2020<sup>134</sup>: Nationally, the maximum intervention time is reduced to 15 minutes, by increasing the number of rapid response teams for each police precinct in (a) Chisinau (minimum 7 teams per administrative precinct) and (b) from 2 to 5 teams per police inspectorate from outside Chisinau, with dispatchers led by Integrated Emergency Call Management System (IECMS).*

The 2020 Report on the Implementation of the Project 4.3 *Improvement of rapid response capacities of the Police intervention teams to emergency calls* was placed on [www.politia.md](http://www.politia.md)<sup>135</sup>.

According to the report, in 2020, the following results were achieved:

- according to the information provided by the Single National Service for 112 Emergency Calls, the average duration of applicants' calls is about 4 minutes, the average response time to citizens' calls is about 32 minutes. The average number of daily emergency calls within the competence of the Police is 773 cases. Thus, compared to the data for 2019, the average response time decreased by 3 minutes or 8.6%;
- 59 operational field vehicles were purchased for the operational response teams of the territorial subdivisions of the Police. In addition, a total of 170 terminals of various models were procured and distributed to the GPI subdivisions: Camouflaged portable terminals - 10, Tetra mobile radio terminals - 130, Tetra stationary radio terminals - 30;
- 6 training activities were organized with the participation of 173 employees, out of which 2 were held online - specialization courses for the guard and dispatcher service staff, 80 employees were trained; an online training course "Protecting police officers while stopping and checking transport units, intercepting the person, and responding to 112 emergency calls", with 42 employees being trained; a training / specialization course (online) "112 Call Management" 14 employees / dispatchers from the Police subdivisions were trained;
- a visit to Austria and Germany, and another visit to Poland, to take up good practices and develop cooperation, including in the field of emergency response.

##### **Average response time**

At the same time, according to the Emergency Response Report for 2020, provided to us by the GPI, in a comparative aspect it is observed that:

- the lowest value of the average response time, outside the capital, was registered at Ceadir-Lunga PI (23:20) and Balti PI (27:29).
- Lower values of the average response time than that registered in the country, except for the inspectorates mentioned above, were found in the case of Comrat PI (29:08), Cahul PI (29: 1), Taraclia PI (30: 06) Vulcanesti PI (30:43).
- the highest values of the average response time were recorded at Dubasari PI (50:39) Anenii Noi PI (49:25), Orhei PI (49:14), Telenesti PI (49:10) (see details in Annex 8).

At the request of information submitted by Promo-LEX, regarding the number of patrol and rapid response teams in each administrative-territorial unit and district and / or the regions they serve, the GPI communicated that "according to the provisions of the GPI Order no. 232 of 07.05.2018 regarding the establishment of the unique principles of primary response to emergency calls, the territorial subdivisions of the Police constituted **91 - 105 patrol and rapid response teams**. The figure varies depending on the operational situation and the day of the week."

<sup>134</sup> The 2020 performance criteria for achieving the objectives of the Policy Matrix have been excluded.

<sup>135</sup> 2020 Report on the implementation of the Project 4.3. The improvement of the rapid response capacities of the Police intervention teams to emergency calls.

In order to evaluate the results within this objective, the Promo-LEX monitors conducted interviews with the management of the territorial subdivisions of the Police or with the persons designated by them.

When asked about the average intervention time, in the area of their competence, 14 respondents mentioned a response time of up to 15 minutes, 15 respondents - between 15-30 minutes, and only 5 respondents mentioned an average duration of intervention between 30 and 40 minutes. The closest values mentioned by the respondents to the data provided by the Single National Service for 112 Emergency Calls were in the case of Chisinau PD, Riscani PI and Ceadir-Lunga PI.

At least one of the respondents mentioned that the territorial subdivision does not have these data, one mentioned that it cannot answer, one – said that the question can be addressed to Chisinau PD, and in the distant districts, the distances are long and the intervention time differs.

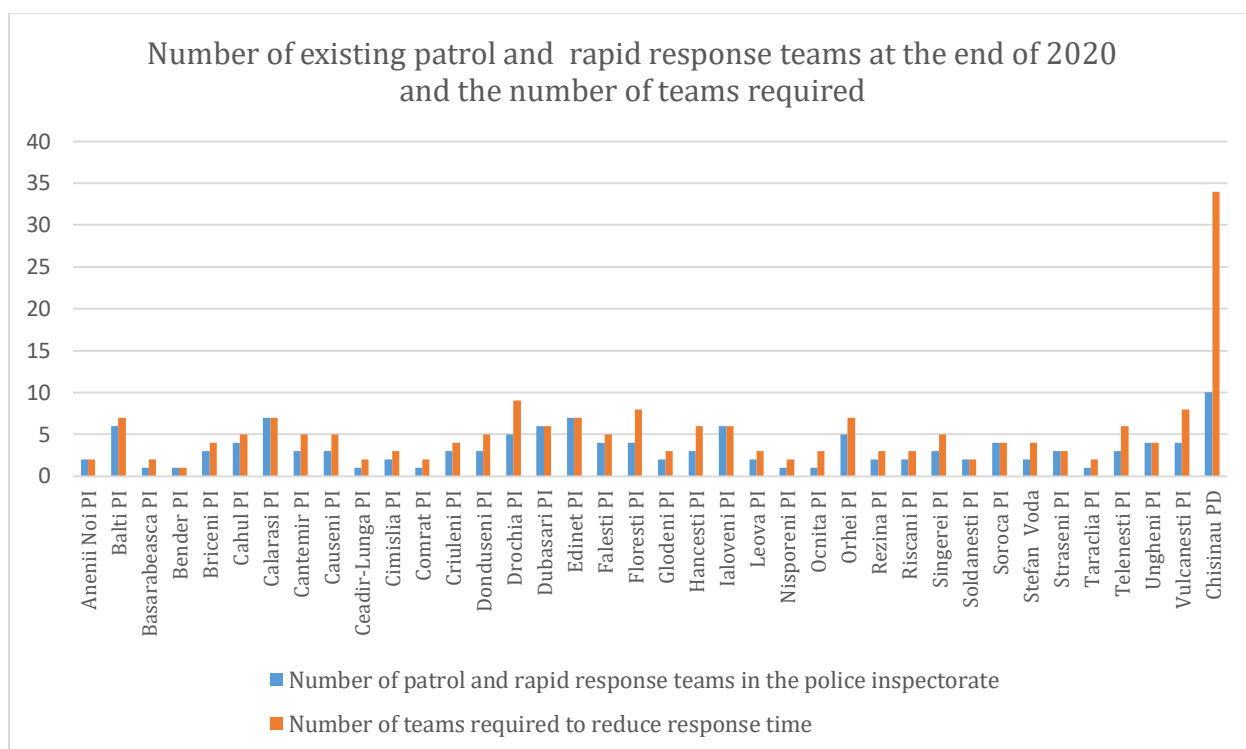
*Thus, the difference in the data provided by the respondents and those provided by the GPI (based on the data of the 112 service) is puzzling, taking into account the fact that 17 respondents to this question were appointed in 2020. We consider that an efficient communication on such an important indicator must be ensured between the GPI and the territorial subdivisions and within the territorial subdivisions, and reducing response time should be a priority for all subdivisions.*

#### **Number of patrol response teams and response time to citizens' emergency calls**

According to the results of the interviews conducted with the management of the police inspectorates, when asked about the number of existing and necessary patrol and rapid response teams, Promo-LEX found the following:

- ✓ the police inspectorates of Anenii Noi, Bender, Calarasi, Dubasari, Edinet, Ialoveni, Soldanesti, Soroca, Straseni, Ungheni have a sufficient number of patrol and rapid response teams;
- ✓ the police inspectorates of Balti, Basarabeasca, Briceni, Cahul, Ceadir-Lunga, Comrat, Criuleni, Falești, Glodeni, Leova, Nisporeni, Rezina, Riscani, Taraclia need to be supplemented with one more patrol and rapid response team;
- ✓ the police inspectorates of Cantemir, Causeni, Donduseni, Ocnita, Orhei, Singerei, Stefan-Voda need to be supplemented with two patrol and rapid response teams;
- ✓ the police inspectorates of Hincesti and Telenesti need to be supplemented with three patrol and rapid response teams;
- ✓ the police inspectorates of Drochia, Floresti, Vulcanesti require four more patrol and rapid response teams.

**Chart no. 15.** Existing patrol and rapid response teams and the number of teams required to reduce the reaction time, according to the PI management, or the persons designated by them



At the same time, in relation to the indicator set in the 2020 Policy Matrix (increasing the number of rapid response teams from 2 to 5 teams per police inspectorate outside Chisinau), Promo-LEX highlighted, in 2019, that police inspectorates of Bender, Basarabeasca, Ceadir-Lunga, Cimislia, Comrat, Taraclia, Ocnita, Riscani had a patrol and rapid response team each (Annex no. 9).

Thus, although the implementing institutions were recommended to make changes to supplement the number of patrol and rapid response teams, the situation in the police inspectorates of Bender, Basarabeasca, Ceadir-Lunga, Comrat, Taraclia and Ocnita did not change by the end of 2020. At the same time, the list of inspectorates that have one patrol and rapid response team was supplemented by Nisporeni PI, which had 2 teams in the previous year. In the case of Cimislia PI the number of teams increased to 2 and in the case of Riscani PI- to 4.

In the case of the number of teams per precinct in Chisinau, the initial objective established in the Policy Matrix (7 / precinct) was not reached, involving 2-3 teams / precinct per day, and 3 -5 teams / precinct per night.

In addition to the fact that the number of patrol and rapid response teams need to be supplemented, we note that according to the respondents, at the time of the visit, there were vacancies in the patrol and rapid response teams of 15 subdivisions, the number of vacancies ranging from 1 to 9 in Nisporeni PI, I Soldanesti PI, Leova PI, Rezina PI, Briceni PI, Criuleni PI, Stefan Voda PI, Ungheni PI, Causeni PI, Singerei PI, Hincesti PI, Ialoveni PI, Telenesti PI, Orhei PI, and 70 in the Chisinau PD. At the same time, the representatives of at least two subdivisions mentioned that if no moratorium was established on filling vacancies, they would have been occupied.

Being asked about the activities carried out for the decentralization of the patrol and rapid response structures, 13 of the representatives of the territorial subdivisions mentioned that in 2020, the rapid response groups / teams (including mixed teams) were established.

*Taking into account the above, we find that neither the average response time of 15 minutes nor the replacement of the patrol and rapid response teams was achieved, as intended. At the same time, the efforts to involve in operative response both the employees of the NIPO and the district and non-commissioned officers to complete the number of rapid response teams, are to be appreciated. However, in the long run, the involvement of teams of employees whose core tasks are not those of operational response will not have the expected effect, either in terms of proper performance of core tasks, or in terms of operational feedback. In addition, we believe that rapid response teams must have a uniform structure and be subordinated to the territorial subdivisions, so that these forces are managed as efficiently as possible.*

## OBJECTIVE 5: Promoting and implementing the principle of zero tolerance for corruption, discrimination and ill-treatment in the activity of the Police

*Objective 5 has been developed with the purpose of promoting and ensuring transparency of the activity and professional integrity of the Police. It contains 2 actions and 8 sub-actions. In the opinion of Promo-LEX, of the eight sub-actions only one (12.5%) can be considered as fulfilled, six (75%) - partially fulfilled, and one (12.5%) unfulfilled.*

*Five sub-actions expired in 2020, of which Promo-LEX rated four (80%) as partially fulfilled, and one (20%) as unfulfilled.*

*At the same time, of the 2 sub-actions that were qualified in Report no. 3 as ones with considerable risk of nonfulfillment, in this Report, one is assessed as partially fulfilled (5.1.3 - development of the electronic system for finding and recording road offenses in order to reduce the intervention of the human factor in this activity), and another is qualified as unfulfilled (5.1.4 - reorganization of the system of public procurement within the Police and training of staff in this regard).*

*With reference to the Policy Matrix, we note that following the actions taken in 2020, most of the actions set out in the Plan on Preventing and Combating in the GPI have been carried out, and the minimum salary in the Police units is 162.82% compared to the minimum expenditure basket set by the National Bureau of Statistics for the first semester of 2020.*

### *Findings based on Police Development Strategy*

#### **5.1. Promoting and implementing the principle of zero tolerance in the activity of the Police.**

##### **5.1.2 Intensifying prevention campaigns of corruptive behavior of policemen, particularly in the vulnerable areas.**

*Performance Indicators: prevention campaigns conducted*

*Timeframe: 2017–2020*

According to the progress report on the implementation of the PDS, 2 information and awareness campaigns were launched and carried out in 2020, namely:

- ✓ **The campaign “We DON’T accept corruption in Police” which had a preventive and awareness nature for both police officers and citizens on the risk they face when offering or taking bribes.** The campaign took place in three stages and included police training and actions to inform citizens about corruption offenses and the importance of involving both parties in reporting these acts. The campaign was launched on 18.01.2019 and ended on 19.03.2020<sup>136</sup>, during which **4500** police officers were trained in the field of integrity, and over **3,000** people were informed about the consequences of corruption, as well as how to report illegalities admitted by to the police. In this very campaign, a Facebook page was created entitled **#WE\_DON’T\_ACCEPT\_CORRUPTION\_IN\_POLICE**<sup>137</sup>. According to the GPI, at the end of 2020, the page was appreciated by 2632 people and watched by about 2670 people. In 2020, 70 posts were published on this page, which registered 124898 views.

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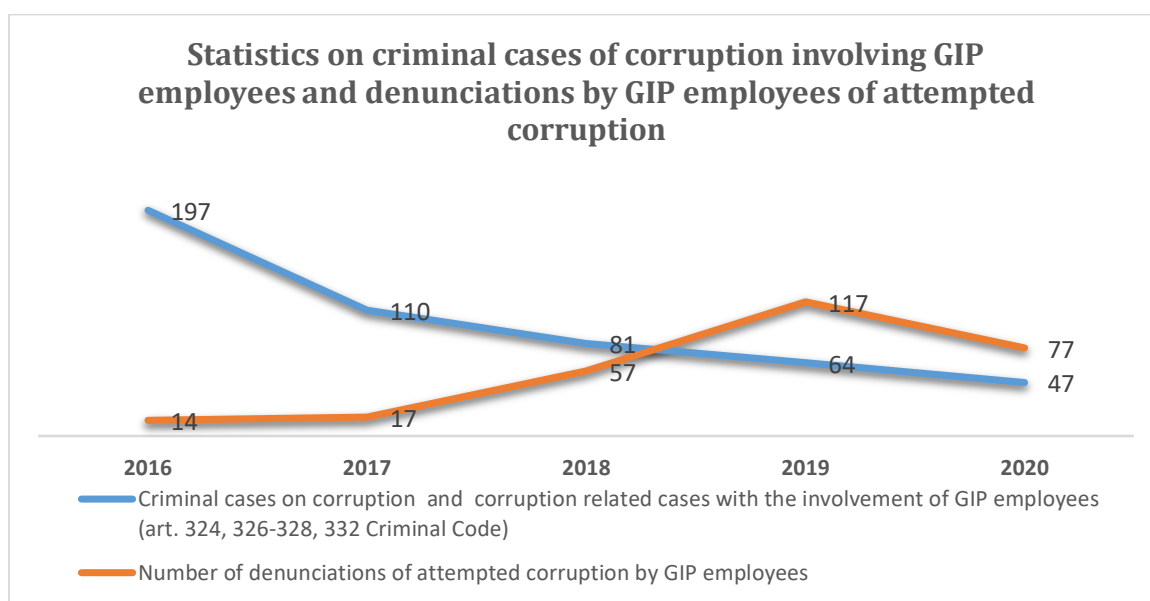
<sup>136</sup> Press release on the completion of the “We do NOT accept corruption in the Police!” campaign

<sup>137</sup> Facebook page: [We do not accept corruption in the police](#)

- ✓ **“Report! Your attitude matters!” Media campaign on preventing and combating corruption**, launched on 11.12.2020, jointly with the National Anticorruption Center. According to the GPI response received to the request for information submitted by Promo-LEX, the purpose of the Campaign is to inform and raise awareness of police officers, drivers and citizens about the risks and consequences of involvement in corruption, the rigors of integrity, the importance of adopting honest behavior. The campaign will run for one year and will include various trainings and informative activities throughout the country. The campaign will provide citizens with accessible information on existing procedures and mechanisms for preventing and reporting corruption cases. At the same time, training sessions will be held for the employees of the Police Inspectorates, regarding the procedure for declaring conflicts of interest, gifts, inappropriate influences, ways to denounce acts of corruption in order to ensure an integral and honest public service, dedicated to the citizens and society in general.

It should be mentioned that according to the statistical data, provided by the implementing institutions in the context of the activity A.5.1. of the Policy Matrix, the period of 2016-2020 was marked by a decrease in the number of corruption and corruption-related cases, with the involvement of GPI employees, as well as by an increased number of corruption denunciations made by police employees.

**Chart no. 16**



We note that to assess this sub-action, in the request for information submitted to the implementing institutions, we requested information on:

- the vulnerable areas, in which corrupt behavior prevention campaigns have been conducted,
- and whether the effects of these campaigns have been assessed.

However, it appears that the implementing institutions omitted the presentation of this information. We recall that in the previous annual reports, Promo-LEX highlighted that according to sub-action 5.1.2, campaigns to prevent criminal behavior need to be intensified, especially in vulnerable areas. Thus, we expected an increase in the number and frequency of campaigns to prevent corrupt behavior of police officers and the need to conduct the campaign, namely in vulnerable areas. Taking into account the above, the Promo-LEX Association appreciates the efforts related to the national campaigns carried out and qualifies the sub-action 5.1.2. as **partially fulfilled**.

In addition, Promo-LEX monitors conducted interviews with representatives of territorial subdivisions, including with regard to **local campaigns to prevent police corruption**. Thus, 30 respondents answered that such campaigns were carried out and 7- mentioned that they were not.

However, being asked details about the campaign period and the number of informed persons, of 30 respondents who gave positive answers - at least 3 referred to the GPI campaign and 11 respondents referred to the campaigns conducted by the Service of Internal Protection and Anticorruption (SIPA) or National Anticorruption Center (NAC) in localities in their area of responsibility. According to the respondents, the campaigns included discussions with citizens, distributing information materials and placement of banners. Another 4 respondents mentioned the participation in training seminars on corruption prevention conducted by SIPA and NAC.

Another 15 respondents mentioned the following types of actions carried out within the campaign to prevent corrupt behavior: roundtables, online training with employees (2), informing employees and asking them to confirm the fact by signing a document (4), organizing an information campaign in collaboration with local television, conducting the campaign through radio, local newspapers, distributing information materials, placing information on social networks, etc.

### **5.1.3 Development of the electronic system of fact-finding and keeping record of traffic offences to reduce human intervention in this activity**

*Performance Indicators:* regulatory framework adjusted, electronic system developed  
*Timeframe:* 2018–2020

Automation of the process for detecting and finding road traffic violations committed by the drivers, accumulating evidence for solving the case and bringing them to accountability or criminal liability, collecting data on the road situation in surveillance zones is the goal pursued by the automated road traffic control and monitoring system (ARTCMS) established under the Government Decision no. 965 of 17.11.2014 (Road Traffic Control Concept).

In 2018, several amendments were made to Government Decision no. 965/2014. By the latest amendment, which entered into force on 25.01.2019, the same rights were granted to both private and public partners, including access to information from the System. We point out in this regard that in its audit report<sup>138</sup> the Court of Accounts mentioned that “the signing of contracts with economic operators was carried out without taking into account that they cannot hold the quality of participants in ARTCMS, because according to the legislation in force in the field of monitoring and ensuring safety of road traffic, they are not authorized to and are not entitled to perform tasks of public interest or tasks resulting from the exercise of public authority prerogatives”.

On 11.02.2019, in violation of the norms of decisional transparency, the Government Decision no. 82 was approved. The decision concerned the approval of the objectives, conditions of the public-private partnership for the creation of the Automated Road Traffic Control and Monitoring System in the Republic of Moldova, the general requirements for the selection of private partners. By this decision, the Ministry of Internal Affairs was designated as the public authority responsible for carrying out the procedure for selecting the private partnership, through a public tender in a single stage, and the

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<sup>138</sup> Approved by Decision no. 12 of 05.04.2017. See: <https://bit.ly/2NfaQma>



creation of ARTCMS was included in the list of state property and the list of work and services of national public interest proposed to the public-private partnership<sup>139</sup>.

However, a private partner was selected neither in 2019 nor in 2020, therefore, the contract was not signed.

At the same time, on October 24, 2019, the Court of Accounts approved by Decision 56/2019 the Report of the follow-up mission for the implementation of the requirements and recommendations approved by the Decision of the Court of Accounts no. 12/2017 on the approval of the Audit Report "Management of road traffic surveillance systems"<sup>140</sup>. Thus, the Ministry of Internal Affairs had first to implement the recommendations of the Court of Accounts, namely reviewing the existing legal framework<sup>141</sup>, ensuring the interrelation of legal provisions, and connecting the Chinese software to the national legislation on its integration into SIA RICC and implement personal data protection policy for all the information systems owned, as well as to bring in compliance the contravention procedure started based on the information obtained through ARTCMS "Traffic Control" with the provisions of the Contravention Code, providing record of electronic protocols. In 2020, it appears that no such changes have been made to the legal framework.

We point out that when requesting additional information on the development stage of the electronic system for finding and recording road traffic offenses and whether in 2021 financial means were provided for the creation, implementation, operation and development of the system, GPI informed us that the procedure for purchasing goods and services for the extension of the road traffic monitoring system was initiated on 01.03.2021<sup>142</sup>.

Additionally, we point out that according to the Report on the implementation of the PDS, Law no. 185 on the Automated Information System for recording contraventions, contravention cases and persons who have committed contraventions<sup>143</sup> was approved on September 11, 2020 and it entered into force on January 9, 2021. According to the informative note, the approval of this draft law was to ensure the creation of a single information resource to record contraventions, contravention cases and persons who have committed contraventions, which will be available to all authorities and bodies with specific responsibilities for the contravention process, having the possibility to feed / extract information from the system in real time, so that everyone can correctly and timely perform their legal duties in the field of finding and examining contraventions.

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<sup>139</sup> According to the informative note to the draft government decision, the implementation of the public-private partnership project presupposes the transmission to a private investor of the rights and obligations related to the implementation and technical operation of ARTCMS in Moldova, which will make investments from own sources within six years from the date of signing the contract. The feasibility of the partnership is revealed by the Feasibility Study, which, starting from the total volume of investments of about 21 million euros to be attracted for the implementation of the partnership, indicates an optimal period of return on investment of 25 years.

<sup>140</sup> Decision 56/2019 on the approval of the Report of the follow-up mission on the implementation of the requirements and recommendations approved by the Decision of the Court of Accounts no. 12/2017 on the approval of the "Management of road traffic surveillance systems" Audit Report.

<sup>141</sup> Regulations for the operation of the Automated Information System "Register of forensic and criminological information", ARTCMS "Traffic Control" and the Automated Information System "Evidence of traffic offenses and ensuring access of the driver's license to information on penalty points"

<sup>142</sup> [Procedure for the procurement](#) of goods and services for the Extension of the Road Traffic Monitoring System

<sup>143</sup> Law no. 185 of 11.09.2020 regarding the Automated Information System for recording contraventions, the contravention cases and the persons who committed the contraventions.



According to art. 27 of Law 185/2020, until its entry into force, the Government was to:

- a) to present to the Parliament proposals for bringing the legislation in accordance with the respective law;
- b) to develop and approve the Concept of the Automated Information System for the record of contraventions, contravention cases and persons who have committed contraventions and the Regulation on the single record of contraventions, contravention cases and persons who have committed contraventions;
- c) to develop normative acts necessary for the execution of the respective law.

Thus, only on 16.11.2020, the Ministry of Internal Affairs initiated the process of drafting the Government Decision on approving the Technical Concept of the Automated Information System for evidence of contraventions, contravention cases and persons who committed contraventions and the Regulation on single records of contraventions, of contravention causes and of the persons who committed the contraventions. As a result, an announcement<sup>144</sup> to this effect was placed on the platform [www.particip.gov.md](http://www.particip.gov.md). Until the end of 2020, the draft Government Decision was not put on the Government's agenda. However, the application for registration of the draft was submitted to the State Chancellery, only on 18.03.2021<sup>145</sup>.

At the same time, at the request of additional information on the development stage of the electronic system for finding and recording road traffic offenses and whether in 2021 financial means were provided for the creation, implementation, operation and development of the system, the GPI informed that the procedure for purchasing goods and services for the extension of the road traffic monitoring system was initiated on 01.03.2021.

*Although the electronic system for finding and recording road traffic offenses has not been developed, taking into account that one of the indicators is "adjusted regulatory framework" we consider sub-action 5.1.3 **as partially fulfilled**. Respectively, it should be mentioned that with regard to this indicator, there are activities to be performed.*

#### **5.1.4 Reorganization of public procurement system within the Police and training of staff in charge**

*Performance indicators: Adjusted regulatory framework; regionalized procurement system; operational procedures developed and approved; trained staff*

*Timeframe: 2017–2020*

According to the Progress Report on the implementation of the PDS in 2020, all the procurement plans of the GPI, including their amendments, and all the reports monitoring the execution of contracts, in accordance with Law 131/2015, are published on the official website of the GPI [www.politia.md](http://www.politia.md).

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<sup>144</sup> Notice of initiation of the process of drafting the Government Decision on the approval of the Technical Concept of the Automated Information System for the record of contraventions, contravention cases and persons who have committed contraventions and the Regulation on the single record of contraventions, contravention cases and of persons who have committed contraventions

<sup>145</sup> Draft Government Decision on the approval of the Concept of the Automated Information System for the record of contraventions, contravention cases and persons who have committed contraventions and the Regulation on the single record of contraventions, contravention cases and persons who have committed contraventions, registered at the State Chancellery

Starting with 2021, the centralized publication of the acquisition plans of the territorial subdivisions will be ensured by the specialized subdivision within the GPI, on the official page of the institution.

We remind you that Promo-LEX mentioned in the Report no. 3 on civic monitoring of the Police Reform, that the initiation and development of a regionalized system of public procurement by police departments must be ensured, including by publishing on the web pages of procurement plans and reports on the execution of public procurement contracts. In this sense, Promo-LEX recommended the identification of a temporary solution to ensure compliance with legal provisions (publication of the provisional / annual procurement plan) until a regionalized system of the Police starts operating. Thus, we find that the recommendation from the previous year could be implemented only in 2021, no efforts were made in this regard in 2020.

At the same time, following the request for information addressed by Promo-LEX, about the standard operational procedures developed and / or approved in the field of public procurement, the GPI informed us that during 2020, the following Standard operational procedures were developed and adjusted:

- 1) GPI Order no. 130 of 27.04.2020 "On the amendment of some Orders of the Head of the General Inspectorate of Police", by which amendments were made to the Order of the Head of GPI no. 75/2018 "Regarding the approval of the Procedure for declaring real conflicts of interest", GPI Order no. 401/2018 "On the implementation of the operational procedure regarding the declaration of the real conflict of interests within the central administration body of the General Inspectorate of Police", Order of the head of GPI no. 235/2019 On the approval of the Standard Operational Procedure regarding the evidence of cases of improper influence exerted on Police employees;
- 2) Order of the Head of the GPI no. 140 of 20.05.2020 "On the approval of the Standard Operational Procedure on Integrity Warnings".

We point out that these standard operating procedures do not refer to the field of public procurement and thus, cannot be taken into account when assessing the degree of implementation of this sub-action.

At the same time, although the request for information included questions regarding the conduct of public procurement for the needs of the Chisinau and ATU of Gagauzia Regional Directorates and the organization of training in public procurement for territorial structures, the implementing institution failed to provide information in this regard.

*We remind you that Promo-LEX highlighted in its Report no. 3 on civic monitoring of the police reform, that the development of training of the GPI subdivisions in public procurement, as well as the elaboration of standard operational procedures in the field, would facilitate the organization of public procurement. Moreover, in the long run, it could reduce the amount of centrally organized public procurement and ensure uniform application of the legislation. Thus, although it was recommended that the staff involved in the procurement process of the GPI subdivisions be trained and that efforts be made to regionalize the police and respectively, the public procurement process, it appears that the recommendations were not taken into account. In view of the above, Promo-LEX qualifies **sub-action 5.1.4. as unfulfilled**, and a factor of non-realization of this sub-action is the omission of the regionalization of the police and the creation of three regional directorates, within which, according to the conception, the procurement subdivisions were to be concentrated.*

In addition, we mention that, according to the 2020 Performance Report of the National Agency for Settlement of Claims<sup>146</sup>, the General Inspectorate of Police is one of the contracting authorities against which most claims were submitted regarding public procurement procedures initiated / carried out (more than 10 appeals), ranking seventh, with the same number of appeals (17) as the Directorate of Education, Youth and Sports of Buiucani District, Chisinau, and the Institute of Emergency Medicine.

In interviews with the management of the police inspectorates and Chisinau PD, or the persons designated by them, Promo-LEX asked questions regarding the conduct of public procurement, obtaining the following results:

- ✓ 30 (78.9%) of the respondents stated that in 2020, public procurement procedures<sup>147</sup> were carried out, and 8 (21%) mentioned that they did not carry out any public procurement. At the same time, the persons who carried out public procurements within 13 subdivisions (43.3%) out of the 30 were not trained in this respect, and in the case of 17 PIs (56.6%) the persons responsible for public procurement were trained;
- ✓ At least 3 respondents, among those who did not receive training, stated that they were self-trained and study the regulatory framework in the field of public procurement.

*Thus, we find that although the legislation on public procurement changes every year, the law being approved in 2016, the Inspectorate General of Police made insufficient efforts to ensure the training of employees in public procurement, and provide the necessary support for the smooth running of territorial subdivisions.*

## **5.2 Improving the cooperation between agencies and structures of combating corruption at intra and inter-institutional level.**

### **5.2.3. Achievement jointly with Internal Protection and Anti-Corruption Service of the Ministry of Internal Affairs and National Anticorruption Centre of some training programs for police staff in preventing corruption.**

*Performance Indicators: trainings conducted*

*Timeframe: 2017–2020*

According to the Progress Report on the implementation of the PDS, 20 training activities for Police employees were organized in 2020, involving 512 employees. The courses focused on issues related to preventing and combating corruption, professional ethics, professional integrity, conflicts of interest, investigation of corruption crimes, denunciators and their protection, use of portable video surveillance system "Body camera", competencies of the national integrity authority, control of property, personal interests, and compliance with the legal regime of conflicts of interest, incompatibility and restrictions.

Of 20 training activities, only the training sessions on integrity were organized and carried out jointly with SIPA (Directorate for Prevention of Corruption jointly with SIPA), training a number of 102 employees. In response to the request for information submitted by Promo-LEX, the GPI informed us that these trainings also addressed the issues of vulnerabilities and risks of corruption; prevention

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<sup>146</sup> Performance report of the National Agency for Settlement of Claims for 2020, p.24

<sup>147</sup> The police inspectorates subordinated to Chisinau PD do not carry out public procurements, the corresponding police departments being responsible for their procurement needs.

of acts of corruption; influence peddling; integrity testing; lifestyle monitoring, etc. Participants were also provided with information on integrity denunciations. In particular, they were informed about the protection of the employees or former employees, who report illegal practices in the entity in which they work or have previously worked.

At the end of the training, Police employees filled out a questionnaire, to check the comprehension of the topics covered in the trainings, as well to reveal issues related to the motivation / demotivation of work in the Police, subsequently a report was prepared. The document included the issues revealed in the questionnaires, which are faced by police employees and negatively influence the exercise of duties, being submitted proposals that would stimulate / improve the work of police officers.

We mention that in 2020, Promo-LEX monitors did not identify any training activities carried out by the GPI jointly with the NAC.

Promo-LEX has previously appreciated the organization and participation of GPI employees in various trainings and workshops, aimed at preventing corruption and ensuring professional and institutional integrity. At the same time, in the previous reports, it was mentioned that the trainings must have a continuous character, a clear message, so as to ensure a common perception and understanding of the phenomenon. In this sense, the implementing institutions were recommended to elaborate training programs for the police, and subsequently implement them and evaluate the capacities of the trained personnel in corruption prevention.

*Noting with regret that the recommendations made for this activity were not taken into account and the fact that in the period of 2017-2020 no training programs were developed, but training activities were organized with topics on corruption prevention, we appreciate **sub-action 5.2.3. as partially fulfilled.***

#### **5.2.4. Establishment and development of a system to verify complaints against police with regard to acts of discrimination and ill-treatment in the activity of the Police**

*Performance indicators: Organized training sessions; standard operating procedures developed and approved*

*Timeframe: 2017–2020*

According to the Progress Report on the implementation of the PDS, 15 training activities were organized in 2020, preparing 384 employees on the following topics:

- basic tactics;
- professional intervention;
- advanced tactics and communication procedures for rapid response and intervention units;
- methods for settling situations involving active shooters (AMOK);
- legal protection of human rights;
- intervention and investigation of domestic violence;
- conflict management and relevant tactics;
- conflict management and relevant tactics;
- developing psycho-pedagogical skills;
- training according to the " International Police Mountain Bike Association" Program;
- the competences of the Police in the presidential elections;

- preventive non-violent professional intervention measures and the application of special means;
- maintaining public order and security, crisis management during COVID-19.

In addition, within the “Ștefan cel Mare” Academy of the MIA, as well as within the ITLCE of the MIA, 3 initial professional training courses were carried out, in which **314 employees** - officers / non-commissioned officers (newly recruited staff) were trained in **Professional Intervention**.

At the same time, the JLETC of the MIA approved the program of continuous training of MIA employees in professional intervention. Thus, according to the approved training program, the training of professional intervention technicians, professional intervention monitors and professional intervention trainers is to be ensured.

In 2020, **11 cases of violations of professional standards of use of force**, special means and firearms were reported. In 8 cases, no violations were found in the employees' actions. In one case, the examination revealed other deviations, and 2 cases are being examined by the Prosecutor's Office. In the same period of the previous year, 16 cases of this kind were reported, in 15 of them no violations were found in the actions of employees. At the same time, in 2020, there were no cases / petitions regarding the violation of standards in places of detention, or cases regarding violence among detainees.

It should be mentioned that, according to the GPI response of March 9, 2021 to the request for information addressed by Promo-LEX, **251** internal investigations were initiated and conducted in 2020 (compare to 193 in 2019). Of these, 51 (29 in 2019) resulted in disciplinary sanctions regarding **74** (38 in 2019) employees (Table no. 18).

**Table no. 18.** *Disciplinary sanctions applied to GPI employees in 2020*

Sanction applied	Number of employees	Body where the employees is employed
<b>Warning</b>	34	International Police Cooperation Directorate (IPCD), Technical-Material Supply Directorate (TMSD), Logistics Directorate (LD), Canine Directorate (CD), NIPS, Chisinau PD, Buiucani PI, Cahul PI, Ciocana PI, Criuleni PI, Floresti PI, Hincesti PI, Leova PI, Singerei PI, Straseni PI, Telenesti PI, Ungheni PI.
<b>Reprimand</b>	11	Balti PI, Criuleni PI, Edinet PI, Falesti PI, Ialoveni PI, Leova PI, Rezina PI, IP Straseni PI, Telenesti PI.
<b>Severe reprimand</b>	10	NIPS, Chisinau PD, Anenii Noi PI, Ceadir-Lunga PI, Ialoveni PI, Riscani PI
<b>Demotion with a special grade</b>	4	CD, Chisinau PD, Criuleni IP, Ialoveni PI
<b>Demotion</b>	2	CD
<b>Dismissal from public office with special status</b>	13	CD, NIPS, NII, Chisinau PI, Bender PI, Buiucani PI, Ciocana PI, Floresti PI, Orhei PI, ATUG PD.
<b>Total:</b>	<b>74</b>	<b>29 GPI subdivisions</b>

According to the GPI, 13 complaints regarding acts of discrimination and ill-treatment in the activity of the Police were examined by the Directorate for Inspection during 2020.

It should be noted that according to point 26 of the standard operating procedure "Initiation and conduct of internal investigations"<sup>148</sup>, if an internal investigation is initiated for disciplinary offenses concerning acts of corruption/ related to corruption, acts of corrupt behaviour, acts of torture, inhuman treatment or degrading treatment, as well as other violations that may endanger the safety of the MIA, of the administrative authorities and institutions subordinated to the MIA, they must be remitted, within 24 hours to the Internal Protection and Anticorruption Service (IPAS) of the MIA, with the obligation to inform the management of the effective Directorate for Inspection.

According to the MIA Activity Note<sup>149</sup>, in 2020, the IPAS registered 915 incidents with the involvement of MIA employees, of which 776 with the involvement of GPI staff. Of these, 7 incidents related to the ill-treatment of citizens by GPI employees. At the same time, during the criminal investigation, in the cases investigated by the IPAS employees, 71 (compare to 91 in 2019) of GPI employees were or continued to be documented.

It should be mentioned that in 2020, the Council for the Prevention and Elimination of Discrimination and Ensuring Equality examined several complaints against the actions of the GPI subdivisions. With regard to 4 complaints, the Council found:

- ✓ two cases of language discrimination in the exercise of the right to receive a reply in the language of the address<sup>150</sup>,
- ✓ a case of direct gender discrimination in the workplace<sup>151</sup>,
- ✓ a case of social status discrimination in access to equal protection by law<sup>152</sup>.

It should be noted that in addition to the statistical data requested from the GPI, the request for information also included questions about the establishment and development of a system for verifying complaints against police personnel with regard to acts of discrimination and ill-treatment, and standard operational procedures developed and approved in this regard in 2020. However, the implementing institutions failed to provide this information. It should be mentioned that the position of the implementing institutions, presented in Report no. 3 on civic monitoring of the Police Reform, according to which, the development of its own mechanisms for verifying the complaints directed against the Police personnel regarding the acts of discrimination and ill-treatment in the activity of the Police, is contrary to the provisions of the normative acts in force<sup>153</sup>.

*Taking into account the above, we find that the indicator on the conduct of training sessions has been met, but no standard procedures have been approved and the system for verifying complaints against police personnel with regard to acts of discrimination and ill-treatment has not been established and developed, as provided in sub-action 5.2.4.*

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<sup>148</sup> Approved by the GIP Order no.407/2018

<sup>149</sup> [2020 Annual activity Note](#) of the MIA, p.46-47

<sup>150</sup> [Decision](#) of the Council for the Prevention and Elimination of Discrimination and Ensuring Equality of July 24, 2020, case no. 101/20; [Decision](#) of the Council for the Prevention and Elimination of Discrimination and Ensuring Equality of March 20, 2020, case no. 13/20

<sup>151</sup> [Decision](#) of the Council for the Prevention and Elimination of Discrimination and Ensuring Equality of July 27, 2020, case no. 108/20

<sup>152</sup> [Decision](#) of the Council for the Prevention and Elimination of Discrimination and Ensuring Equality of February 10, 2020, case no. 224/19

<sup>153</sup> Joint Order of the Prosecutor General, Minister of Justice, Minister of Internal Affairs, Director of the NAC, General Director of the Customs Service and the Minister of Health of 31 December 2013 on the procedure for identifying, registering and reporting alleged torture, inhuman or degrading treatment and Law no. 121/2012 on ensuring equality.

We reiterate that although in 2018, the standard operating procedure “Initiation and conduct of internal investigations” was approved by the GPI Order no. 407, this practically does not refer to acts of discrimination and ill-treatment. The Promo-LEX Association previously recommended to the Ministry of Internal Affairs, which is the subject responsible for the implementation of this activity, to develop a standard operational procedure for verifying complaints against police personnel on discrimination and ill-treatment, or a corresponding amendment of the PDS Action Plan. However, it appears that the recommendation was not taken into account. *Thus, starting from those highlighted above, and taking into account the activities carried out in the period of 2017-2020, the Promo-LEX Association qualifies **sub-action 5.2.4. as partially fulfilled.***

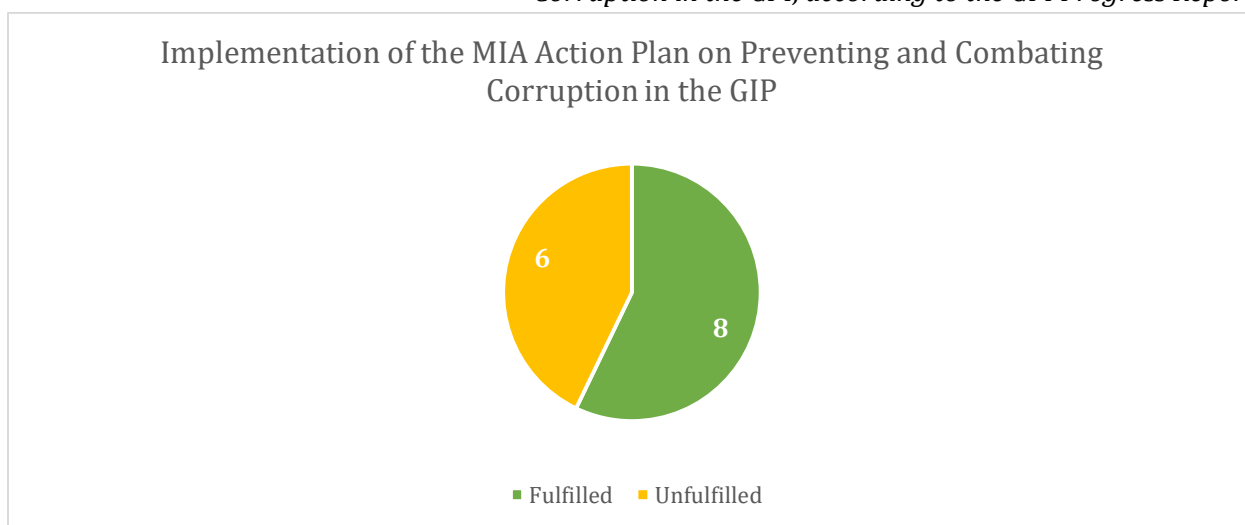
#### *Findings based on Policy Matrix*

#### **A.5.1. Consolidating the capacity to prevent and combat corrupt behaviour in the police force, in particular by focusing on internal anti-corruption capabilities, while enhancing motivation**

*Indicator 2020<sup>154</sup>: The action plan is implemented in accordance with the agreed benchmarks, the police pay scale is adjusted to ensure that the lowest basic salary fully corresponds to the minimum expenditure basket set by the National Bureau of Statistics.*

The progress report on the implementation in 2020 of the MIA Action Plan on preventing and combating corruption within the GPI<sup>155</sup> was published on the page [www.politia.md](http://www.politia.md).

**Chart no. 17.** *Degree of implementation of the MIA Action Plan on Preventing and Combating Corruption in the GPI, according to the GPI Progress Report*



Among the main achievements of 2020, reflected in the Progress Report inclusively, we list the following:

- ✓ conducting an opinion poll on assessing the perception of corruption in the activity of the Police, involving 1183 employees.
- ✓ Launching, jointly with the NAC<sup>156</sup>, an information and awareness campaign;

<sup>154</sup> The 2020 performance criteria for achieving the objectives of the Policy Matrix have been excluded.

<sup>155</sup> [Progress Report](#) on the Implementation in 2020 of the MIA Action Plan on Preventing and Combating Corruption in the GPI

<sup>156</sup> See sub-action 5.1.2

- ✓ approval of the GPI Integrity Plan for sem. II, 2020- sem. II, 2021<sup>157</sup>;
- ✓ organizing and conducting trainings with the support of SIPA, in the field of integrity and corruption prevention for 102 NIPS employees.

We appreciate the fact that most of the actions in the plan on preventing and assessing corruption have been carried out. The non-performance of some activities was caused by the pandemic conditions and the restrictions related to the emergency situation. At the same time, we consider that the integrity plans for excluding or diminishing the effects of corruption risks in the activity of the NII in the process of recruiting, selecting, hiring and promoting Police employees and in the process of procurement cannot be replaced by the GPI Integrity Plan; they were to be developed and published. We consider that following the corruption risk assessment reports, plans dedicated to each specific area with specific measures had to be approved.

With reference to the lowest salary amount, according to the GPI response of April 9, 2021 to the request for information addressed by Promo-LEX, in line with the Annex no. 6 to Law no. 270 of 23.11.2018 regarding the unitary salary system in the budgetary sector, the lowest salary for the executive position is **3390 lei**, excluding seniority, special rank and other bonuses. The minimum expenditure basket established by the National Bureau of Statistics for the first semester of 2020 is 2082.7 lei<sup>158</sup>. Thus, the lowest salary within the Police units is 162.82% compared to the minimum expenditure basket set by the National Bureau of Statistics for the first semester of 2020. It should be noted that, compared to the European average, the salaries of Police employees in the Republic of Moldova are still very low<sup>159</sup>.

With reference to the number of corruption cases, we mention that, according to the NAC Activity Report<sup>160</sup>, in 2020, the Centre identified and criminally investigated 43 police inspectors for committing corruption and corruption-related crimes (compare to 29 in 2019), it is the most numerous category followed by that of heads of autonomous institutions within the authorities (51)<sup>161</sup>. However, compared to 2019, when the most frequent cases of corruption were found in the MIA (56), in 2020, the internal affairs ranked fourth with 45 cases of corruption found. Thus, we found that in 2020, the number of investigated corruption cases decreased, but the number of investigated police inspectors increased.

At the same time, according to the GPI, in 2020, they registered 47 cases of alleged acts of corruption committed by police employees, 7 cases less than in 2019. The alleged cases fall under the Criminal Code of the Republic of Moldova: art. 324 - Passive corruption, art. 326 - Influence peddling, art. 327 - Abuse of power or abuse of office, art. 328 - Excess of power or exceeding the service attributions, art. 332 - Forgery of public documents. At the same time, with regard to allegations of attempted corruption in 2020, it is noted that 142 police officers filed 77 reports of attempted corruption, 40 fewer than in 2019.

Promo-LEX monitors conducted interviews with the management of the territorial subdivisions or the persons designated by them, asking them about the efforts made to combat corrupt behaviour within the police forces in the period of 2016-2020. Thus, 35 (83%) of the respondents appreciated

<sup>157</sup> [GIP Integrity Plan](#) for sem. II 2020- sem. II 2021

<sup>158</sup> [Minimum expenditure basket](#) in sem. I 2020, according to the National Bureau of Statistics

<sup>159</sup> <https://bit.ly/39Tu7RD>

<sup>160</sup> <https://bit.ly/2UR0KtX>

<sup>161</sup> [NAC Report](#), p.6



the efforts made by the GPI to combat corrupt behaviour as effective, and 7 (17%) - as inefficient. Among those who rated the efforts as inefficient, at least 2 respondents mentioned the small amount of salary as the main cause of corruption phenomenon. At the same time, other respondents mentioned that the following corruption prevention activities could be carried out:

- a) endowment of cars with video cameras would make the employees more responsible;
- b) involvement of civil society;
- c) conducting permanent meetings to inform employees of the risks and consequences;
- d) harsh punishment of both the accepting police officer and the bribe-giving citizen.

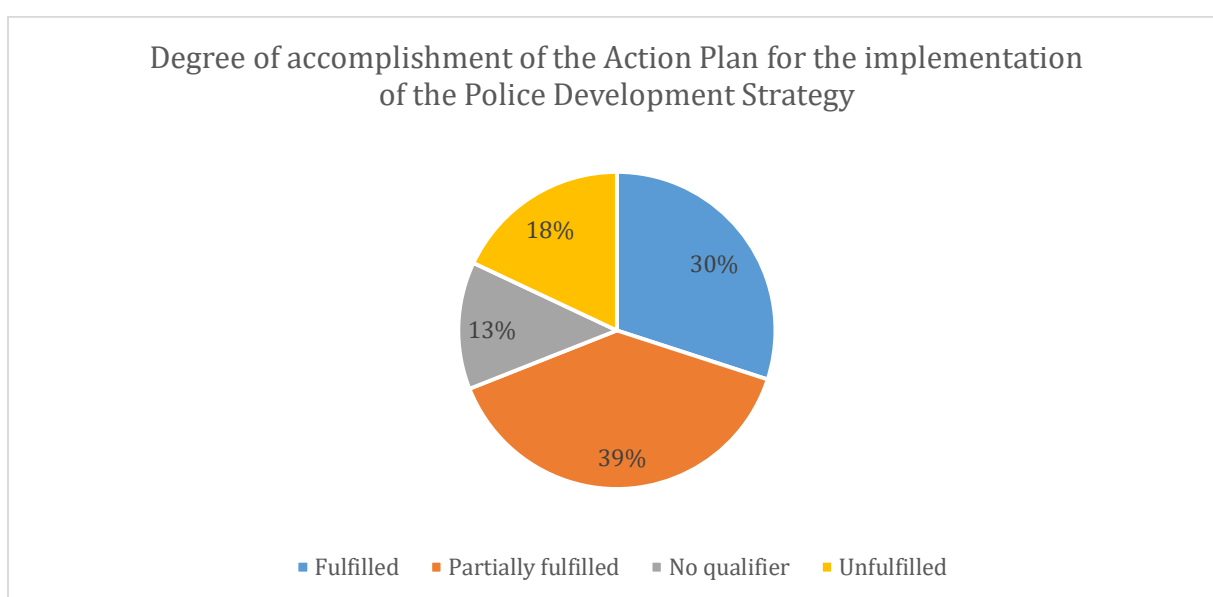
*In conclusion, the Promo-LEX Association appreciates the efforts of the implementing institutions to achieve the indicators established in the Policy Matrix, as well as the efforts of the SIPA under MIA and the competent bodies investigating acts of corruption, in order to combat corrupt behaviour in Police. At the same time, we reiterate the recommendation to take the necessary actions to increase the salary of police employees, not only in relation to the minimum expenditure basket, but also in relation to the average salary per economy, considering that training and sanctioning employees is not sufficient to combat corruption in police forces.*

## GENERAL CONCLUSIONS

The Promo-LEX Association qualified the degree of achievement of the 84 activities planned for implementation in the period of 2016-2020, as follows:

- ✓ **25 sub-actions - fulfilled (30%);**
- ✓ **33 sub-actions - partially fulfilled (39%);**
- ✓ **15 sub-actions - unfulfilled (18%);**
- ✓ **11 sub-actions (13%)** are too generally formulated and the indicators are not measurable. Therefore, the Promo-LEX Association could not comment on the degree of their achievement.

**Chart no. 18.** *Degree of accomplishment of the Action Plan for the implementation of the Police Development Strategy, 2016–2020*



The Promo-LEX Association concludes that of 31 sub-actions with deadlines in 2020, 12 (38.7%) were qualified as fulfilled, 12 (38.7%) as partially fulfilled, 5 (16.1%) were qualified as unfulfilled, and regarding 2 (6.5%) sub-actions, it was not possible to decide on the degree of their achievement.

At the same time, of the 4 sub-actions that were assessed in report no. 3 as presenting a considerable risk of non-compliance, 2 were qualified in this report as unfulfilled, and two - as partially fulfilled.

As for the implementation of Policy Matrix during the monitored period, several activities that could influence the degree of fulfilment of the initially established criteria were carried out. These include:

- increasing the overall share of women and the share of women officers in the police;
- initial training (online) of 373 police non-commissioned officers and carabinieri soldiers, and continuous training of 758 employees of the MIA subdivisions;
- initiation of repairs for the infrastructure of the Joint Law Enforcement Training;
- commissioning of four provisional detention facilities and the resumption of operation of two detention facilities.
- the acquisition of computer technology and peripherals for criminal investigation departments; study visits and trainings were carried out;

- training in the field of community policing of 421 police officers and 10 national trainers;
- reopening after capital repairs of 19 headquarters of the police units;
- increasing the level of endowment of the GPI with TETRA equipment to 43% by purchasing 370 radio terminals;
- reducing the average response time to citizens' emergency calls to about 32 minutes, or 3 minutes less than in 2019;
- implementing most of the actions in the GPI Plan to Prevent and Combat Corruption;
- establishing the lowest salary within the Police units in the amount of 162.82% compared to the minimum expenditure basket established by the National Bureau of Statistics for the first semester of 2020.

## **RECOMMENDATIONS**

### **To the Parliament of the Republic of Moldova**

1. Amendment of Law no. 320/2012 on the activity of the Police and the status of the police officer, regarding the organization and operation of the North, Centre and South Police Departments.
2. Increasing the salary amount of Police employees.

### **To the Government of the Republic of Moldova**

3. Approval of the strategic documents for the development of the Police for the next period.
4. Cancellation of the moratorium on the employment of staff in the budgetary sector in the vacancies registered in the General Inspectorate of Police.
5. Increasing the salary amount of Police employees.

### **To the Ministry of Internal Affairs**

6. Carrying out the necessary actions to regionalize the Police.
7. Continuation of the construction work in the Joint Law Enforcement Training Center, including building the tactical range.
8. Elaboration and approval of strategic documents for the development of the Police in the next period, including in it only the actions and activities achievable within the expected term, with expected results, measurable indicators and exact deadlines.
9. Identifying optimal solutions for inverting the pyramid of positions.
10. Supervision of compliance with the procedures for recruitment and selection of candidates, in particular, as regards the management positions of the GPI subdivisions.
11. Supervision of the gradual transfer of public order restoration tasks from the competence of the GPI to the competence of the GIC, so that by 1 January 2022, the GIC will be able to fully take over these competences.
12. Allocation of sufficient financial sources in order to ensure complete endowment of the territorial subdivisions of the Police with special equipment and technique, according to their needs.
13. Carrying out the necessary actions to exclude improper attributions of the Police from its competence.
14. Continuing the endowment of the GPI subdivisions with TETRA equipment, and ensure appropriate training of the persons involved in rapid response activities.

### **To the General Inspectorate of Police**

15. Carrying out, jointly with the MIA, the actions necessary to regionalize the Police.
16. Decentralizing the activities of maintaining and ensuring public order at the level of the territorial subdivisions of the Police, by assigning to the territorial subdivisions of the Police the competences and staff necessary to manage the situation at the local level.
17. Completing the number of rapid response teams to citizens' emergency calls according to the needs of the police inspectorates.
18. Supervision of compliance with the procedures for recruitment and selection of candidates, in particular with regard to the management positions in the GPI subdivisions.

19. Identifying the optimal solutions in order to invert the pyramid of positions and fill the vacancies within the General Inspectorate of Police.
20. Continuing efforts to stimulate, support and increase the number of women in the Police, involve women in the decision-making process, providing prompt and determined reaction to cases of discrimination or harassment of employees.
21. Annual assessment of the share of effective endowments with special equipment and technology of GPI employees and allocation of sufficient financial resources to ensure the full endowment of the territorial subdivisions, according to their needs.
22. Modernization and arrangement, within each police inspectorate, of hearing rooms and reconnaissance rooms.
23. Arranging special premises, within the police inspectorates that do not have a provisional detention isolator, according to the approved norms.
24. Continuing to modernize the police units and continuing efforts to implement the concept of community policing.
25. Continuing the endowment of the GPI subdivisions with TETRA equipment, and ensure appropriate training of the persons involved in prompt response activities.
26. Supplementing the number of rapid response teams, according to the needs of the territorial subdivisions, standardizing the structures of prompt response teams and subordinating these teams to the territorial subdivisions.

## **LIST OF ABBREVIATIONS**

"Fulger" SPPB – "Fulger" Special Purpose Police Brigade  
CPD – Criminal Protection Directorate  
DWP – Directorate of Witness Protection  
FJEC- Forensic and Judicial Expertise Centre  
GD - Government Decision  
GDCI- General Directorate of Criminal Investigation  
GIC - General Inspectorate of Carabinieri  
GPI - General Police Inspectorate  
HRD - Human Resources Department  
IECMS - Integrated Emergency Call Management System  
IPAS - Internal Protection and Anticorruption Service of the Ministry of Internal Affairs  
IPCD - International Police Cooperation Directorate  
JLETC – Joint Law Enforcement Training Center  
ITS - Information Technology Service  
JID – Justice Interaction Directorate  
LAN - local computer network  
MIA - Ministry of Internal Affairs  
MLPCS- Money Laundering Prevention and Combating Service  
NAC - National Anticorruption Centre  
NII - National Inspectorate of Investigations  
NIPS - National Inspectorate of Public Security  
NPI - National Patrol Inspectorate  
PDI - Provisional Detention Isolator  
PDS - Police Development Strategy  
PI - Police Inspectorate  
PU - police unit  
TMSD- Technical and Material Supply Directorate

## ANNEXES

*Annex no. 1 Endowment of territorial subdivisions with special equipment and technology at the end of 2020, according to the answers of the management of the police inspectorates (1.4.8)*

Subdivision	Share of endowment with special equipment and technology, at the end of 2020 (%)	The greatest needs for equipment and technology
Anenii Noi PI	70	office furniture, special equipment, video and audio cameras for each officer, computers, more powerful printers.
Balti PI	75	computers, multifunction printer, modernized protective equipment
Basarabeasca PI	70	new computers, body cameras, surveillance cameras
Bender PI	100	They do not lack anything
Botanica PI (Chisinau)	15	Computers, cars and printers
Briceni PI	70	computing technology, special equipment, special investigation tools.
Buiucani PI (Chisinau)	100	new furniture, computers for the public order department.
Cahul PI	20	computers, protection equipment
Calarasi PI	50	video recorders in the cars (minimum 12), body cameras, equipment for special investigation activity (video equipment)
Cantemir PI	90	more powerful computers, means of transport, those that are at the moment are old and often dysfunctional
Causeni PI	20	Computers, printers
Ceadir-Lunga PI	60	personal equipment, special investigation kits, -computers
Centre PI (Chisinau)	70	computers (most employees use personal computers), copying machine, quality Internet, furniture
Cimislia PI	90	better computing technology, special protection and intervention equipment
Ciocana PI (Chisinau)	60	computers, printers, visual tracking equipment (binoculars and other necessary equipment)
Comrat PI	95	drone, computers, some special protective equipment
Criuleni PI	Equipment- 70% special technology - 30%	GPS, video and audio recording technology
Donduseni PI	60	Special means, transport units (minimum 3 unit).
Drochia PI	50	special equipment, personal protective equipment bulletproof vests, special belts.
Dubasari PI	80	GPS, video recorders; Dictaphone; video monitoring equipment for patrol teams (to combat corruption)
Edinet PI	100	Tear gas
Falesti PI	70	computer technology, service cars for district police officers renewing uniforms
Floresti PI	10	multifunctional belt, mobile cameras, service cars
Glodeni PI	50	Special investigation equipment

<b>Hincesti PI</b>	Equipment- 70% special technology -0	transport units, there would still be a need for replenishment.
<b>Ialoveni PI</b>	80	-
<b>Leova PI</b>	75	Premises for evidence storage, renewal of shields (obsolete) and computers (have an obsolete operating system)
<b>Nisporeni PI</b>	Equipment- 80% special technology 0	special means (Dictaphone, portable video cameras, etc.)
<b>Ocnita PI</b>	50	computers and printers for police units (PU no.3 - 3 computers and 3 printers, PU no.2 -2 computers and 2 printers)
<b>Orhei PI</b>	90	shields, light bulletproof vests, helmets
<b>Rezina PI</b>	60	special computing technology, GPS
<b>Riscani PI</b>	35	10 computers, 10 printers, an additional computer for EPRO
<b>Riscani PI (Chisinau)</b>	75	5-7 computers (for criminal prosecution), printer
<b>Singerei PI</b>	70	transport units, computers, special combat means
<b>Soldanesti PI</b>	70	Computers, multifunctional copying machine (coloured), projector for trainings.
<b>Soroca PI</b>	50	special equipment, GPS equipment, a drone with a video camera.
<b>Stefan-Voda PI</b>	50	computers, printers, quality uniforms
<b>Straseni PI</b>	75	equipment for providing good speed Internet. GPS equipment, video / audio recording systems.
<b>Taraclia PI</b>	85	special investigation means, GPS, body cameras
<b>Telenesti PI</b>	65	computers, alarm system
<b>Ungheni PI</b>	70	equipment - computers, special means
<b>Vulcanesti PI</b>	50	special equipment, video cameras, computers



***Annex no. 2 Infrastructure needs of the territorial subdivisions (1.6.1.)***

<b>Subdivision</b>	<b>Infrastructure needs</b>
Anenii Noi PI	Renovation of the gym, repair of offices, change of heating system
Balti PI	Construction of a new block with 3 levels, due to insufficient space for employees
Basarabasca PI	Repairs of the headquarters of Basarabasca PI, a part of the building being damaged following the explosion of the heat boiler that took place a few years ago. Arranging a hearing room, and a room to detain the person until the arrival of the escort vehicle.
Bender PI	Repairs of the guard unit, the sentry and patrol detachment and the employees' offices.
Botanica PI (Chisinau)	Repairs of the guard unit, employees' offices and change of the heating system.
Briceni PI	Interior repairs, securing the perimeter of the headquarters.
Buiucani PI (Chisinau)	Repairs of the guard unit, arranging a waiting room and repairs of the offices.
Cahul PI	Moving the secretariat on the 1st floor, changing network of drains, repairs of offices
Calarasi PI	Repairs of 7 offices, the conditions being miserable, the identification and construction of headquarters for PU no. 1 Calarasi. Repairs of the roof of Calarasi PI, there are cases of floods due to this.
Cantemir PI	Capital repairs of the entire headquarters - employees have poor working conditions.
Causeni PI	Capital repairs of the headquarters of the PI
Ceadir-Lunga PI	Changing the network of computers, which is very outdated
Centre PI (Chisinau)	Repairs of the guard unit, the offices, the arrangement of the waiting room
Cimislia PI	Arranging a reconnaissance room, a room for hearings and meetings in conditions of confidentiality, creation of a special room for reinforcement and disarmament, renovation of the facade, current repairs of offices
Ciocana PI (Chisinau)	Repairs of offices, change of furniture (desks, chairs, cabinets) change of electricity network
Comrat PI	Changing the electricity network, renovating the roof, creating special rooms for hearings, meetings, recognition of the suspect / accused.
Criuleni PI	Arrangement of a parking lot and a car wash for the service cars.
Donduseni PI	Interior repairs and replacement of the electricity network and heating system
Drochia PI	Antenna installation for TETRA equipment, indoor cosmetic repairs in the PI
Dubasari PI	Renovation of exterior plaster, renovation of offices, renovation of the roof. The building of Dubasari PI is very old, the construction of a new headquarters would be the perfect solution.
Edinet PI	Repairs of the shooting ground, the toilets, the gym.
Falesti PI	Major repairs in offices, identification of additional offices because they are not enough, repairs of the meeting room, and the gym.
Floresti PI	Installation of video surveillance cameras, repairs of the gym – shooting ground
Glodeni PI	interior repairs.
Hincesti PI	No infrastructure work required
Ialoveni PI	The Ialoveni PI headquarters is in a satisfactory condition, it does not require infrastructure work
Leova PI	Major repairs, changing the roof and creating better conditions for employees
Nisporeni PI	Renovation of employees' offices
Ocnita PI	Repairs of the guard unit, the storage room and the unloading of the armament
Orhei PI	Capital repairs of the premises.
Rezina PI	Capital repairs of the premises
Riscani PI	Arrangement of the yard and its asphaltting, demolition of old garages, renewal of communication networks within the PI.

Riscani PI (Chisinau)	Arrangement of a rest room for the Guard Unit, repairs of offices
Singerei PI	Repairs of the gym repairs, shooting ground, garages, the entire building of the PI
Soldanesti PI	Major repairs of the building of PI
Soroca PI	Repairs of the bathroom and the gym
Stefan-Voda PI	Replacement of the heating system and the electricity network, capital repairs of the building.
Strasaeni PI	Modernization of police units. At the PI headquarters it would be necessary to plaster 2 exterior walls, renovate the main and side stairs and install access ramps.
Taraclia PI	Roof repairs
Telenesti PI	Arranging a car wash, repairing the waiting room, the gym and garages
Ungheni PI	Renovation of offices and purchase of furniture
Vulcanesti PI	Capital repairs of the PI, changing the electricity network

**Annex no. 3 (A.1.2). The share of women in the specialized and territorial subdivisions of the GPI as of 31.12.2020, according to the data provided by the GPI**

GPI subdivision	Women	Men	Total	Share of women, %
"Fulger" SPPB	13	341	354	3.67
JID	1	16	17	5.88
Canine Directorate	1	13	14	7.14
Dubasari	17	163	180	9.44
NIPS	103	880	983	10.48
Glodeni	9	76	85	10.59
Edinet	16	132	148	10.81
Bender	20	159	179	11.17
Singerei	16	117	133	12.03
Riscani	17	111	128	13.28
NII	47	304	351	13.39
PD, Chisinau	75	450	525	14.29
Soroca	22	131	153	14.38
Donduseni	13	75	88	14.77
Rezina	13	75	88	14.77
Drochia	17	98	115	14.78
Stefan Voda	17	95	112	15.18
Criuleni	17	94	111	15.32
Floresti	21	116	137	15.33
Cimislia	14	76	90	15.56
DWP	3	16	19	15.79
Leova	14	73	87	16.09
Falesti	21	109	130	16.15
Basarabeasca	11	54	65	16.92
Ungheni	27	130	157	17.20
Briceni	20	93	113	17.70
Causeni	26	111	137	18.98
Soldanesti	16	62	78	20.51
Hincesti PI	32	123	155	20.65
Ciocana PI	30	109	139	21.58
Balti PI	57	205	262	21.76
Telenesti	21	75	96	21.88
Anenii Noi	27	90	117	23.08
Nisporeni	21	70	91	23.08
Riscani PI	37	120	157	23.57
Calarasi	25	77	102	24.51
Ialoveni	28	84	112	25.00
CPD	10	30	40	25.00
Ocnita	2. 3	68	91	25.27
Straseni	32	94	126	25.40

<b>GPI subdivision</b>	<b>Women</b>	<b>Men</b>	<b>Total</b>	<b>Share of women, %</b>
<b>Taraclia</b>	22	61	83	26.51
<b>Cantemir</b>	26	72	98	26.53
<b>TMSD</b>	19	52	71	26.76
<b>ATU Gagauzia PD</b>	77	206	283	27.21
<b>Orhei</b>	44	115	159	27.67
<b>Botanica IP</b>	43	107	150	28.67
<b>Centre PI</b>	39	97	136	28.68
<b>Buiucani PI</b>	41	93	134	30.60
<b>Cahul</b>	60	125	185	32.43
<b>IPCD</b>	11	16	27	40.74
<b>FJEC</b>	57	79	136	41.91

**Annex no. 4 Findings of Promo- LEX monitors regarding compliance of the hearing rooms, reconnaissance rooms, premises for meetings in confidential conditions with the defender, with the Minimum Requirements approved by the GPI Order no. 213 din 31.07.2020 (2.1.1.)**

Subdivision	Room type	Room conditions
<i>Hincesti PI</i>	<b>Reconnaissance room</b>	<ul style="list-style-type: none"> <li>- The reconnaissance room is separated by a glass screen with unilateral visibility, and it does not allow the person to be seen by the recognized person.</li> <li>- <b>The reconnaissance room meets 5 criteria of 7</b> (it is spacious, allows for viewing people, is equipped with quality artificial lighting, soundproof doors and walls, equipped with audio-video recording equipment)</li> <li>- <b>The reconnaissance room</b> does not correspond to the two criteria (neither natural ventilation nor a functional ventilation system is ensured, it is not equipped with an air conditioner)</li> <li>- <b>The viewing room</b> corresponds to 5 criteria out of 7 (it is spacious, has artificial lighting, has the possibility to stage different situations - circumstances when examining people presented for recognition, doors and walls are soundproofed, it is equipped with audio-video recording equipment.</li> <li>- <b>The viewing room</b> does not meet 2 criteria (natural ventilation is not ensured, no functional ventilation system, it is not equipped with air conditioning)</li> <li>- <i>* In Hincesti PDI there is a room for reconnaissance that is why the room inside the Police Inspectorate is not used at all.</i></li> </ul>
<i>Telenesti PI</i>	Examination room	<ul style="list-style-type: none"> <li>- Meets 8 of 8 criteria (it is spacious enough, natural ventilation is provided through a functional ventilation system, doors and walls are soundproofed, it is painted with warm pastel colours, appropriate natural and artificial lighting is provided, heating is provided by radiators connected to the central heating source of the building, the windows are equipped with bars, the door and the walls are soundproofed, there are no unwanted sound sources in the room;</li> <li>- The room is not equipped with any necessary elements (two-part desk with a metal ring, computer, printer, chairs, alarm button, air conditioning, audio and video recording equipment)</li> </ul>
	<b>Reconnaissance room</b>	<ul style="list-style-type: none"> <li>- The reconnaissance room is separated by a glass screen with unilateral visibility, but the screen allows the person to see the person taking part in the recognition procedure.</li> <li>- <b>The reconnaissance room meets 5 criteria of 7</b> (it is spacious, lets you view people as a whole, it is equipped with artificial lighting, doors and walls are soundproofed, the premises are ensured with natural ventilation through a functional ventilation system).</li> <li>- <b>The reconnaissance room</b> does not meet the two criteria (it is not equipped with air conditioning and audio-video equipment)</li> <li>- <b>The viewing room</b> corresponds to 5 criteria out of 7 (it is spacious, has artificial lighting, has the possibility to stage different situations - circumstances when examining people presented for recognition, doors and walls are soundproofed, it is equipped with audio-video recording equipment.</li> <li>- <b>The viewing room</b> does not meet 2 criteria (natural ventilation is not ensured or through a functional ventilation system, it is not equipped with air conditioning)</li> </ul>

Subdivision	Room type	Room conditions
	Room for confidential meetings	<ul style="list-style-type: none"> <li>- corresponds to 4 out of 4 criteria (has a surface area of at least 6m<sup>2</sup>, has good lightening, is connected to the heating system, is painted in soft and warm colours)</li> <li>- It is equipped with a soundproofed door and windows, there are bars on the windows.</li> <li>- the room is not furnished with chairs, the desk is fixed to the floor with a metal ring</li> </ul> <p><i>The room is not finished or functional, no meeting took place in it until the time of the visit.</i></p>
	Waiting rooms (3)	<ul style="list-style-type: none"> <li>- Meets 4 criteria out of 6 (has an area between 7-9 m<sup>2</sup>, the distance between the floor and the ceiling is 2.5 m, the door is suspended on the left in relation to the entrance and opens to the outside, has natural and artificial lighting)</li> <li>- They do not meet the criteria for delimiting the hallway / corridor through a dismantling wall made entirely of anti-burglary glass and the door does not consist of 2 parts (with glass and metal)</li> <li>- It is equipped with ventilation and heating systems</li> <li>- It is not equipped with metal benches or video-audio recording equipment;</li> <li>- There is no register of persons placed in the waiting room, no person being placed until the time of the visit.</li> </ul>

***Annex no. 5 The findings of the Promo-LEX monitors regarding the correspondence of the provisional detention isolators in Soroca, Criuleni, Balți, Comrat, Anenii Noi) Mandatory minimum norms for the detention facilities within the Police, approved by the GPI Order no. 527 din 28.12.2017 (A.2.1)***

- ✓ all the visited isolators are set up in the headquarters of the police inspectorate, except for PDI Balti, which is located in separate headquarters;
- ✓ all PDI facilities are separated from the administrative offices of the PI;
- ✓ the perimeter of all PDIs and the access places to their headquarters are provided with video surveillance systems;
- ✓ fire protection elements are provided in the PDI headquarters;
- ✓ the accommodation unit in four PDIs (Soroca, Balti, Comrat, Anenii Noi) includes the point of receiving and performing the body search, rooms for storing goods, office for police employees, detention / accommodation rooms, spaces for examination and medical assistance, consultation and epidemiological triage, office for conducting criminal prosecution, spaces to ensure the meeting between the defender and the suspect in confidential conditions, food block (food distribution), space for sanitation and spaces for outdoor activities; An exception to the conditions established for the accommodation unit is **PDI Criuleni, which does not have a reception and a body search point, spaces to ensure the meeting of the defender and the suspect in confidential conditions, food block (food distribution).**
- ✓ The administrative unit in all PDIs includes offices for police personnel who provide security and supervision of detainees, spaces for medical examination and rooms for providing legal assistance;
- ✓ the detention rooms observed within all the isolators provide for at least 4 m<sup>2</sup> for each detainee, in the case of joint accommodation, and at least 7 m<sup>2</sup>, in the case of individual accommodation;
- ✓ the detention rooms observed in all insulators have a distance of at least 2 m between the walls of room and at least 2.5 m between the floor and the ceiling;
- ✓ spaces for detaining people with special needs are provided in three PDIs (Soroca, Balti, Anenii Noi) and **are not provided in two PDIs (Criuleni, Comrat);**
- ✓ the spaces intended for the hygienic-sanitary activities observed within all the insulators are separated from the rest of the rooms by a partition wall, being properly ventilated, so as to prevent moisture and the appearance of mould. **However, in the case of the PDI in Comrat, there is a natural ventilation system, even so, mould appeared in the storage room (which was treated with the necessary substance).**
- ✓ the insulator spaces are connected to the public drinking water supply and sewage systems;
- ✓ the accommodation rooms observed in the insulators, are connected to the thermal agent in the cold period of the year and a thermal comfort is ensured, the rooms are provided with ventilation systems and have natural lighting (enough to be able to read during the daytime), they have the necessary installations to ensure artificial lighting. **At the same time, the PDI in Comrat is located in the basement, with small windows.**
- ✓ all the accommodation rooms observed in the insulators, except for the PDI in Comrat, have radio systems, as well as intercom type communication systems;
- ✓ the spaces intended for the examination and provision of medical assistance, consultation and epidemiological triage in all isolators, except for the one in Criuleni, meet the following criteria: they are connected to the heating system, have barred window, desks, chairs, bed for medical examination, sink, water supply installations, sewerage, sockets, refrigerator, safe / locker with key for keeping confidential the results of medical examination of the detainees and other personal data; sink shelf, emergency button (alarm), metal door. In the PDI Criuleni the

respective spaces do not have water supply installations, sink, sewerage, emergency button (alarm), refrigerator, metal door.

- ✓ The spaces for medical examination in all isolators, except IDP Criuleni, are of sufficient size, clean, naturally lit, provided with reasonable thermal comfort and offer convenient access for people with special needs. In the case of **PDI Criuleni, the respective spaces do not meet the following criteria: size, convenient access for people with special needs, and the existence of the room / rooms for confidential medical consultations and examinations of private doctors or other medical specialists from outside the institution.**
- ✓ the food blocks within the isolators visited, except for the PDI Criuleni which does not have a food block, are equipped with the necessary facilities for heating food, storing perishable and imperishable foodstuff, storing food samples, washing dishes, storing dishes, refrigerated spaces. **PDI Criuleni does not have a food block.**
- ✓ A walking yard is set up in all the detention facilities. Access to the walking yards is granted from the inside of the PDIs. The yards are partially covered to allow for the right to daily walks in bad weather<sup>162</sup>. The arrangement of the yards allows for the permanent supervision of the detainees and the penetration of natural light and ensures conditions that do not allow the reception or transmission by the detainees of some goods or documents from outside;
- ✓ The office of the Police officer guarding and supervising the detainees is located outside the accommodation unit;
- ✓ In all isolators, there are alarm systems and connections between the office of the office on duty and the PDIs;
- ✓ All the premises intended for carrying out criminal investigation activities, within the PDIs, are sufficiently well lit, heated and ventilated. Alarm buttons are installed in all offices for criminal investigation activities in PDIs;
- ✓ the spaces intended for examination within all the observed PDIs are equipped with electronic recording systems, audio / video recording systems, being located in such a way as to include all the participants of the procedural action. At the same time, when asked about the place of storage of information from electronic, audio / video recording systems, most respondents (3) stated that the records are stored on a server in the isolator. The information is stored for at least three months (1).
- ✓ in the hearing rooms of provisional detention facilities visited, no elements were observed that may involve a risk of intimidation of the interrogated person.

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<sup>162</sup> At least within the PDI of IP Anenii Noi, there is video surveillance of the walking court.



**Annex no.6. Issues of on-site research activity, valid at the end of 2020 (A.3.1.)**

Issues	
The small number of criminalists in the police inspectorates and high staff turnover.	<b>A</b>
Poor quality of on-site research (due to both insufficient professional training of police officers and the lack of logistics materials)	<b>B</b>
Lack of professional training of forensic police officers by specialists from the Forensic and Judicial Expertise Centre to specify the practice of collecting, packing and managing evidence.	<b>C</b>
Lack of special premises to store crime evidence taken during the on-site investigation	<b>D</b>

Selected issues	Respondents' comments
<b>A</b>	"People in PI do complete the job in this regard, they send the evidence to another centre, where they wait for some time for the expertise to be performed. It would be desirable for those who collect evidence and deal with the case to make the expertise within the PI, in most cases the evidence is also poorly collected on -site "
<b>B</b>	
<b>C</b>	
<b>A</b>	-
<b>C</b>	
<b>A</b>	"Two criminalists are not enough for the PI, and the trainings are pencil whipped. Trainings must be held more often both practical and theoretical ones. "
<b>C</b>	"Forensic experts should be specially trained officers. Unfortunately, we do not have non-commissioned officers sufficiently well trained to conduct effective on-site research."
<b>A</b>	
<b>B</b>	
<b>C</b>	"According to the staff statements, we have 3 forensic experts, of which only 2 positions are occupied - one officer and one non-commissioned officer. They are only allowed to conduct on-site research. Other competences in this regard are offered only to the NII. Although we have a room to store crime evidence in the basement, we want to move it to the 1st floor, because it is humid."
<b>A</b>	
<b>C</b>	"They do not carry out any expertise, they just collect evidence on the spot. Once the case evidence is collected, the expertise of the evidence is expected, which lasts at least a week. It would be good to give them the possibility to expertise at least some of the evidence taken on the spot. They have less experience and are poorly trained in on-site research."
<b>B</b>	
<b>C</b>	
<b>B</b>	-
<b>D</b>	
<b>A</b>	"New employees have no work experience, efforts are made to carry out their practical training."
<b>B</b>	-
<b>C</b>	
<b>B</b>	-
<b>C</b>	
<b>C</b>	"There is a low level of preparation, it is necessary to raise the professional qualification."
-	"None of those listed. At the end of the year, our subdivision was 1 <sup>st</sup> having the largest share of disclosures."
-	"The people in this subdivision have a rich experience and are well-trained, they need better logistics materials"
<b>A</b>	"Professional training leaves much to be desired."
<b>B</b>	
<b>C</b>	
<b>B</b>	"Investigation officers have limited powers, there is the human factor as the lack of facilities"
<b>B</b>	"More training is needed."
<b>C</b>	
<b>B</b>	-
-	
-	"We have no shortcomings."
-	"Namely in this segment, there is no flow of employees, we have 2 employees waiting to be hired in that section."
<b>A</b>	"The forensic expert is a well-trained professional."

Selected issues	Respondents' comments
A	"According to the staff statements, we have 3 forensic experts, but only 1 expert is employed. The biggest problem concerns qualified personnel. From a technical point of view, we are very well equipped. The law of special investigative activity has many ambiguities. "
-	"The investigation subdivision has very well-trained staff, we would certainly like a better endowment with logistics materials, better equipment that would help reduce the time of investigations"
A	"Our experts participated in training courses. But in case of need, we request the laboratory from Balti."
-	"The problem is lack of time, high workload."
A	"We have only one forensic expert. New employees face certain problems in terms of on-site research, but after the involvement of more experienced employees, the trends have taken a positive dynamic. There is a problem with the storage of toxic, radioactive substances. We do not have spaces for the storage of these substances. "
D	
A	"We do not have a criminalist. In case of need, the laboratory from Balti comes to rescue. "
D	"In 2021, the room for storing crime evidence will be renovated. An estimate of expenditure has also been drawn up in this regard. It is in the process of approval by the GPI. "
-	"Within the PI, there are 3 forensic experts, they work efficiently and handle the cases very well. The employees are professionals with extensive experience. The PI has a room for the storage of crime evidence "
A	"We have no criminalists at all. It's a legal issue"
A	-
B	
-	"The main objection I have is that forensic experts carry out on site investigation and are not responsible for the quality of the evidence."
-	"An evacuator is needed to transport cars (evidence)."
B	"Training is good, but endowment with logistics material leaves much to be desired."
A	"We need more criminalists and more training."
B	
A	"They are not motivated by salary and are limited in professional growth."
B	-
D	
-	"There are no shortcomings"
A	"We can say that they are photographers who take pictures and pass them on. Those from the NII are idle and do not come when there are serious crimes that must be properly investigated. When you call them, they tell you that you first have to call their boss to ask his permission (I have to stay with the body in the house until they decide whether to come or not). We need to have a room for drying biological crime evidence, we leave them in bags and the biological trace is lost, after which you can do nothing with those samples. We need qualified and well-trained specialists who could do the expertise and some tests in the PI."
B	
D	
A	"The activity of investigations and expertise on site must have more freedom to conduct expertise. The expertise must be carried out in the PI, not to wait for it for weeks. There is a problem with the storage of samples. At the moment, there is a small room that does not have enough space. More practical training is needed, it would be good if there were 6 criminal experts in the PI, to work in shifts and to be able to rest."
B	
C	
D	
A	"There are premises for the storage of crime evidence, but they do not meet the requirements for the activity. They need to be better equipped. "
D	
B	"Lack of logistics materials greatly hinders the activity of the department"
B	"Forensic experts only do research on the spot, they don't do anything special, just take some photos. In order to do something well, you have to have the right equipment."

**Annex no. 7. The findings of the Promo-LEX monitors regarding the compliance with the technical requirements for the operation of the Police Unit, approved by the GPI Order no. 286 of June 22, 2018 (A.4.1)**

- all premises are located in places easily accessible to the public, close to public roads, so that they are visible;
- in the case of ten police units (PU no. 3 Floresti, PU no. 5 Singerei , PU no. 2 Bender, PU no. 3 Causeni, PU no. 2 Dubasari, PU no. 3 Calarasi, PU no. 1 Vulcanesti, PU no. 1 Ocnita, PU no. 2 Briceni, PU no. 5 Drochia) road signs with the indication of the location of the headquarters of the Police Unit are placed on the main roads of the locality (ex. Police 300 m). In the case of the other 13 police units, the respective indicator is missing;
- all premises are located on level I of the building, and are accessible to people with special needs, except for PU no. 2 Bender, which is not accessible to people with special needs;
- the façades, sides and roofs of the majority of PUs (20), contain colours of Police - grey and blue. Exceptions are the police units no. 2 Briceni, and no. 2 Criuleni, which are part of the buildings of the City Hall and of the Medical Centre, respectively. In these specific cases, according to point 55 of the Concept, the shade of the facade was to be integrated aesthetically into the entire architectural ensemble, respecting the colours of the Police. However, work in this respect does not appear to have been carried out;
- Only 10 police units (PU no. 5 Singerei, PU no. 3 Causeni, PU no. 2 Dubasari, PU no. 1 Vulcanesti, PU no. 1 Ocnita, PU no. 2 Soldanesti, PU no. 2 Vulcanesti, PU no. 3 Ceadir- Lunga, PU no. 5 Soroaca, PU no. 2 Bender) have an information board in their immediate vicinity. At the same time, only in the case of PU no. 5 Soroaca, information about the persons wanted, models of documents, working hours, elements regarding the cultural / sports life of the subdivision and job announcements were placed on the board. In the case of six other police units, none of the elements provided were displayed on the board.
- At the entrance to most police unit headquarters, Police insignia are placed. Exceptions are PU no. 1 Ocnita, PU no. 5 Drochia, PU no. 2 Criuleni, where the information plates were not placed due to the non-completion of the repair works at the time of the visit.
- according to Promo- LEX monitors, based on interviews with police officers, most of the observed police units (18) have a total area of between 90 and 200 m<sup>2</sup>, with a police area of 50 m<sup>2</sup>. PU no. 2 Dubasari, three police units with an area between 200 and 300 m<sup>2</sup> (PU no. 1 Ocnita, PU no. 1 Cantemir, PU no. 1 Vulcanesti). *It should be noted that the dimensions provided for in the design have been established by way of recommendation;*
- in all police units, the area of the manager's office shall be at least 8 m<sup>2</sup>, with an area of between 8 and 20 m<sup>2</sup>. *It should be noted that the dimensions provided have been set by way of recommendation;*
  - the office for confidential hearings has a minimum of 8 m<sup>2</sup> in 14 police units. PU no. 3 Floresti, PU no. 2 Dubasari, PU no. 2 Bender, PU no. 1 Ceadir- Lunga, PU no. 2 Criuleni, PU no. 3 Calarasi, PU no. 2 Comrat do not meet this condition. *It should be noted that the intended size has been set as a recommendation;*
- the area of the meeting room is at least 20m<sup>2</sup> in 16 police units. PU no.1 Cantemir, PU no. 2 Dubasari, PU no. 2 Bender, PU no.1 Ceadir - Lunga, PU no. 2 Comrat do not meet this condition. *It should be noted that the planned size has been set as a recommendation;*
- the lobby of the premises is at least 10 m<sup>2</sup> in all renovated police areas. *It should be mentioned that the envisaged size has been established as an obligation;*
- space for sanitary needs is provided in most (20) police units. The exception is PU no.2 Dubasari.
- space for technical needs (server, closet) is provided in most renovated police units. The exception is PU no.2 Soldanesti. *It should be mentioned that this size was established as a recommendation;*

- space for food and rest needs is provided in all the observed police units, with the exception of PU no. 3 Ceadir-Lunga, and PU no. 2 Dubasari. *It should be mentioned that this size of the space was established as a recommendation;*
- the space necessary for storing and servicing service cars (parking, garage) is provided in 11 police units. There is no such space at PU no. 3 Causeni, PU no. 1 Glodeni, PU no. 2 Drochia, PU no. 5 Singerei, PU no.4 Stefan-Voda, PU no. 3 Floresti, PU no. 2 Criuleni, PU no. 3 Calarasi, PU no. 2 Bender, PU no. 2 Soldanesti. *It should be mentioned that this space size was established as a recommendation;*
- the employee's job place in all monitored police units consists of a desk, an employee's chair, a visitor's chair, a computer;
- in all police units, there are automatic fire detection installations and fire signalling and extinguishing systems;
- the guarding of the headquarters of nine police units is carried out by the electronic sound method, the guarding of the three headquarters is carried out by the video surveillance method, the guarding of four police sectors is carried out by both electronic sound and video surveillance methods. At the same time, the security of the five headquarters of the police units is not ensured;
- In addition, although it is not a mandatory criterion, offices for 13 non-profit organizations that could assist police officers in certain areas of competence are set up at the headquarters of 13 police units. At the same time, at least 4 respondents mentioned that the respective office is used both for non-profit organizations and for conducting meetings. No such offices were found in PU no. 2 Dubasari, PU no. 2 Bender, PU no. 3 Calaras, PU no. 3 Cainari, PU no. 2 Comrat, PU no. 4 Ștefan-Voda, PU no. 1 Ceadir -Lunga, PU no. 1 Cantemir.

**Annex no. 8. Average response time to citizens' emergency calls (A.4.3)**

Inspectorates	Total incidents recorded	Incidents recorded daily (on average)	Average time of response
Ciocana PI	13926	39	0:16:43
GIC	1983	6	0:17:27
Centre PI	15102	42	0:18:57
Riscani PI, Chisinau	16673	46	0:19:08
Buiucani PI	16069	44	0:20:53
Botanica PI	19603	54	0:20:55
Ceadir -Lunga PI	143	<1	0:23:20
Balti PI	9585	27	0:27:29
Comrat PI	1005	3	0:29:08
Cahul PI	2026	6	0:29:10
Taraclia PI	33	<1	0:30:06
Vulcanesti PI	233	<1	0:30:43
Average response time at national level			about 32 minutes
Leova PI	1852	6	0:33:35
Glodeni PI	1778	5	0:39:15
Edinet PI	3132	9	0:39:32
Drochia PI	3426	10	0:39:58
Soroca PI	3969	11	0:40:37
Donduseni PI	2553	7	0:40:46
Briceni PI	2586	8	0:41:12
Ocnita PI	1497	5	0:41:38
Floresti PI	3462	10	0:41:45
Singerei PI	3876	11	0:42:10
Riscani PI	1745	5	0:42:41
Cantemir PI	3470	10	0:42:43
Bender PI	45	<1	0:43:22
Falesti PI	2956	9	0:43:31
Rezina PI	2804	8	0:44:08
Basarabeasca PI	964	3	0:45:14
Stefan Voda PI	2135	6	0:45:55
Nisporeni PI	838	8	0:46:26
Ungheni PI	5267	15	0:46:54
Cimislia PI	2825	8	0:47:06
Ialoveni PI	5048	14	0:47:16
Criuleni PI	4057	12	0:47:42
Causeni PI	3491	10	0:47:47
Hincesti PI	5457	15	0:48:13
Straseni PI	4497	13	0:48:18
Calarasi PI	3501	10	0:48:27
Soldanesti PI	3068	9	0:48:30
Telenesti PI	4018	11	0:49:10
Orhei PI	8484	24	0:49:14
Anenii Noi PI	3880	11	0:49:25
Dubasari PI	1086	3	0:50:39

**Annex no. 9 (A 4.3) Number of existing patrol and response teams and number of teams required to reduce response time in each police inspectorate, according to the PI management**

Police Inspectorate	Number of patrol and response teams, 2019	Number of patrol and response teams, 2020	Number of teams required
Anenii Noi PI	3	2	2
Balti PI	8	6	7
Basarabasca PI	1	1	2
Bender PI	1	1	1
Briceni PI	3	3	4
Cahul PI	8	4	5
Calarasi PI	2	7	7
Cantemir PI	2	3	5
Causeni PI	2	3	5
Ceadir-Lunga PI	1	1	2
Cimişlia PI	1	2	3
Comrat PI	1	1	2
Criuleni PI	2	3	4
Donduşeni PI	2	3	5
Drochia PI	3	5	9
Dubasari PI	3	6	6
Edinet PI	5	7	7
Falesti PI	3	4	5
Floresti PI	2	4	8
Glodeni PI	2	2	3
Hinceşti PI	2	3	6
Ialoveni PI	2	6	6
Leova PI	4	2	3
Nisporeni PI	2	1	2
Ocnita PI	1	1	3
Orhei PI	3	5	7
Rezina PI	3	2	3
Riscani PI	1	2	3
Singerei PI	2	3	5
Soldanesti PI	2	2	2
Soroca PI	2	4	4
Ştefan Voda PI	3	2	4
Straseni PI	2	3	3
Taraclia PI	1	1	2
Telenesti PI	3	3	6
Ungheni PI	3	4	4
Vulcanesti PI	2	4	8
BPRO of Chisinau PD	<i>No data was collected in 2019</i>	10	34
<b>Total</b>	<b>93</b>	<b>126</b>	<b>197</b>