

# NEWSLETTER

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This newsletter is published by the EU funded project "Support to the Constitutional Court of the Republic of Moldova"

## IN FOCUS

### About the project

In February 2016, a consortium led by the German Foundation for International Legal Cooperation (IRZ) and comprising the Constitutional Court of the Republic of Lithuania and the School of German Law at Warsaw University as members, started implementation of the EU funded project "Support to the Constitutional Court of the Republic of Moldova" (EuropeAid/136903/DH/SER/MD). The overall objective of the project, which is developed within the provisions of the "Justice Sector Reform Strategy 2011-2016 (JSRS)", is to accelerate the sustainable reform of the justice sector in Moldova and to ensure the rule of law by strengthening the Constitutional Court.

#### The purpose of the project is to:

- Strengthen the Constitutional Court as it is foreseen in the Justice Sector Reform Strategy 2011-2016;
- Improve procedures and internal organisation of the Constitutional Court;
- Improve capacities of the Constitutional Court staff in providing support for the judges;
- Increase awareness of Constitutional Court judges on different methods of interpretation and jurisprudence of the ECHR and the EU members states constitutional control institutions, the Venice commission of the Council of Europe, OSCE and other international organisations;



- Increase awareness among the general public and specific target groups on the mandate and work of the CCM.

#### Project team

To ensure a strong undertaking, the Consortium deployed team of experts consisting of:

**Mr Volkmar THEOBALD**, Team Leader, Key Expert on Constitutional Law;

**Prof. Dr Toma BIRMONTIENĖ**, Key Expert on Constitutional Court;

**Prof. Dr. Gábor Attila TÓTH**, Key Expert on Constitutional Jurisprudence;

**Ambassador Mamuka JGENTI**, Key Expert on ECtHR Jurisprudence;

**Dr Ana ROTARI**, Project Officer;

**Ms Olesea GARBUZ**, Local Project Assistant.

#### The project consists of three relevant components:

1. Institutional Support and Capacity Building;
2. Legal Support and Contribution;
3. Communication, Awareness Raising and Interaction with the Civil Society.

The project shall run until October 2017.

#### In this issue:

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This project is funded by the European Union

DEUTSCHE STIFTUNG FÜR  
INTERNATIONALE RECHTLICHE  
ZUSAMMENARBEIT E.V.

IRZ

THE CONSTITUTIONAL COURT  
OF THE REPUBLIC OF LITHUANIA



Szkoła Prawa Niemieckiego  
Wydział Prawa i Administracji  
Uniwersytet Warszawski  
www.spn.wpli.uw.edu.pl

This project is implemented by  
Deutsche Stiftung für internationale rechtliche Zusammenarbeit e.V. (IRZ)  
in consortium with  
Constitutional Court of the Republic of Lithuania and  
Uniwersytecka Fundacja "Szkoła Prawa Niemieckiego w Warszawie"  
(School of German Law in Warsaw)

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## IMPLEMENTED ACTIVITIES

**The kick-off meeting for the EU-funded CCM Project took place on 16 February 2016 in the premises of the Constitutional Court**

The kick-off meeting for the EU-funded project "Support to the Constitutional Court of Moldova" took place on 16 February 2016 in the premises of the Constitutional Court. The meeting was attended by the President and Secretary General of the beneficiary institution, EU project manager, representatives of the implementing Consortium and the project team deployed to the Republic of Moldova for the project implementation.

**Workshops for CCM judges and staff organised from April to June 2016**

As envisaged by the Overall Plan of Operations adopted with the Inception Report on 12 April 2016 by the Steering Committee of the Project, from April to June 2016 the project team organised the first series of workshops to the CCM Judges, Judicial Assistants and other Legal Professionals. The topic of these workshops was Constitutional Interpretation.



**On 12 April 2016 the Steering Committee of the CCM Project was held in the premises of the Constitutional Court**

On 12 April 2016 the Steering Committee of the EU funded project "Support to the Constitutional Court of the Republic of Moldova" was held in the premises of the Constitutional Court. The meeting was presided by the President of the Constitutional Court and attended by the representatives of the EU Delegation to the Republic of Moldova, relevant state structures of the Republic of Moldova and the implementing Consortium led by the IRZ. The Steering Committee concluded project's inception phase and, through the approval of the Inception Report, launched the phase of implementation of the activities falling under project's three components.

**On 10 May 2016, on the occasion of Europe Day, the Constitutional Court hosted the students from 5 high schools**

On 10 May 2016, on the occasion of Europe Day, the Constitutional Court hosted the students from 5 high schools: High School of the Academy of Sciences of Moldova, High School "Gogol" of Chișinău and high schools of autonomous territorial-unit of Găgăuzia - Caracioban, Gaidarji and Tretiacov.



Following the meeting, the students had a presentation of Court's activities by Mr Alexandru Tanase, President of the CCM. Subsequently, a discussion has been moderated by the President of the CCM and the Key Expert on Constitutional Court of the EU funded CCM project.

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## On 14 May 2016, the Project Team participated at the EU organised event dedicated to Europe Day

On 14 May 2016, the project team participated at the EU organised event dedicated to Europe Day. At the tent allocated to the project, the team members organised quiz regarding the European Union and the Constitutional Court of the Republic of Moldova and more than 400 persons took part in this activity.



## On 20 May 2016, the Roundtable on “The Constitutionality of Constitutional Amendments” was held in Chisinau

The Roundtable was organised by the Constitutional Court of the Republic of Moldova with the support of the EU funded project “Support to the Constitutional Court of the Republic of Moldova”. The Roundtable was opened by the Presidents of the Constitutional Courts of the Republic of Moldova, Republic of Lithuania, Georgia, the Vice President of the Parliament, the Head of the EU Delegation to Moldova and the representative of the Venice Commission of the Council of Europe. It was attended by high-level delegations from the Republic of Lithuania, Bulgaria and Austria, as well as members of academia from Germany, Poland and the Republic of Moldova.

The discussions were held on the existing practices in Europe regarding the constitutional amendments and their review mechanisms, focusing on the 4 March judgment of the Constitutional Court of the Republic of Moldova. As there are no European standards setting the common pattern for these matters, it is important to launch common European efforts in this direction and the findings and conclusions of the Roundtable are of importance in this regard.

The participants welcomed and appreciated the initiative of the CCM supported by the EU funded project to organise such an event and launch international debate on the issue of constitutionality of constitutional amendments.



## On 19 May 2016, the Student’s Olympiad was organised by the Constitutional Court of the Republic of Moldova

On 19 May 2016, the Student’s Olympiad was organised by the Constitutional Court of the Republic of Moldova in co-operation with the State University and the support of the EU funded project “Support to the Constitutional Court of the Republic of Moldova”.

More than 40 students have presented their essays on the “Relations of the Constitutional Court with other Public Authorities”. The jury consisting of members of academia, Constitutional Court and the CCM support project selected the three best presentations. The project team participated in the official deliberation ceremony, which was also attended by the Secretary General of the Constitutional Court of the Republic of Lithuania, who participated in the event in question as an expert.

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## Training of judges of Courts of General Jurisdiction

On 27 June 2016, the training of judges of courts of general jurisdiction on the issue of exception of unconstitutionality was held in Chisinau. Two EU-funded projects - Support to the Constitutional Court of the Republic of Moldova (CCM Project) and Project for increased Efficiency, Accountability and Transparency of Courts in Moldova (ATRECO) jointly organised the training event, which was attended by the judges of courts of different instances of the Republic of Moldova, as well as the representatives of the Superior Council of Magistrates.

The training sessions were conducted by the President of the Constitutional Court of the Republic of Moldova and renowned international experts. The practice of Moldova, as well as experience of other European countries were reviewed and debated during the sessions. Recommendations on follow up activities were also discussed and agreed.



## Workshop on constitutional and human rights data bases

On 16 September 2016, the workshop on constitutional and human rights data bases was held in Chisinau. Judges, Judicial Assistants, Members of the Research, Archive and Logistics Divisions of the Constitutional Court of the Republic of Moldova attended the session and engaged in intensive discussions.

As the CCM Project ensured access to several on-line research sources in the fields of comparative constitutional law and international human rights, in the workshop, led by a Constitutional Jurisprudence Expert of the CCM Project, the participants reviewed primary and secondary electronic

sources and compared different subscription and free websites. The demonstrations aimed to enhance research capacities of the professionals of the Constitutional Court of the Republic of Moldova.

## Presentation of CCM's new Communication Strategy and Action Plan

On 2 June 2016, The President of the Constitutional Court of the Republic of Moldova held a meeting with the representatives of electronic and written media. The meeting was also attended by the EU funded project team. The recently adopted CCM Communication Strategy and Action Plan were presented to the media representatives.

The CCM Communication Strategy was drafted with the assistance of the UNDP and recently finalised with the support of the EU funded CCM project. The CCM Communication Strategy and its Action Plan aim at increasing the awareness of the CCM among the relevant target groups and general public of the Republic of Moldova. The Action Plan implementation should also greatly contribute to further enhanced interaction between the Court and the media outlets.

## The Trainings of NGO representatives and journalists were held on 22 and 23 September 2016

On 22 and 23 September 2016, the training events - “Constitutional Courts and NGOs in the democratic society” were organised for the journalists and representatives of NGOs from the Republic of Moldova. The trainings were organised in the framework of the EU-funded CCM project – Support to the Constitutional Court of Moldova.



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The training sessions were dedicated to the relations between the Constitutional Courts and other state institutions with NGOs and media representatives. The good practices of the Republic of Moldova, as well as other European states were discussed during the training sessions, conducted by Mr Alexandru Tanase, President of the Constitutional Court of the Republic of Moldova and senior international and local experts invited by the CCM project.

The opening sessions chaired by the EU-funded project's team leader were followed by the sessions with the specific subject-matters conducted by local experts and also by Minister Kakha Kakhishvili, member of the Government of Georgia and HE Ambassador Urszula Gacek, former member of the European Parliament and former Polish Ambassador to the Council of Europe. CCM project's Key Expert on ECtHR jurisprudence moderated the concluding sessions of these events. The CCM project workplan envisaged organisation of similar activities in the future.

## **The International Conference of Francophone Constitutional Courts was held on 28-30 September 2016**

The EU-funded CCM Project supported the organisation of the International Conference of Francophone Constitutional Courts (ACCPUF) held on 28-30 September 2016 and hosted by the Constitutional Court of the Republic of Moldova. The Conference was opened by the statements of the President and the Prime-Minister of the Republic of Moldova, Presidents of the Constitutional Courts of the Republic of Moldova and Switzerland, who also presides the ACCPUF.



The 8<sup>th</sup> Conference of the Heads of Institutions was dedicated to “the organisation of adversarial procedure” and included sessions on written and verbal procedures. The Conclusions of the Conference were prepared by the international expert contracted by the CCM project.

## **The Steering Committee of the CCM Project was held in the premises of CCM on 4 October 2016**

The Steering Committee of the EU-funded CCM project met in the premises of the Constitutional Court on 4 October 2016. The meeting was chaired by the President of the Constitutional Court of the Republic of Moldova and attended by the representatives of the EU Delegation to the Republic of Moldova, State Chancellery, MoJ and the CCM, as well as by the representative of Deutsche Stiftung für Internationale Rechtliche Zusammenarbeit (IRZ) and members of the project implementing team.

The Steering Committee unanimously welcomed the positive assessment of the project implementation by all the stakeholders, endorsed the first Interim Report prepared by the project team and approved project's proposed workplan and budget for the next 6-month period.

The date and venue of the next Steering Committee meeting shall be decided in due time.



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## Highlighted Events Planned for October 2016 – January 2017

Title of the Event	Date, Venue/City	Contact Person	E-mail
Human Rights in Constitutional Law – Series of Trainings for the CCM Judges and Staff	October 2016-January 2017 Chisinau, premises of the Constitutional Court of the Republic of Moldova	Mr Gábor Attila Tóth (KE3)	gabor.attila.toth@ccm-euproject.com
English Language Trainings for the Staff of the CCM	October 2016-January 2017 Chisinau, premises of the Constitutional Court of the Republic of Moldova	Mr Volkmar Theobald (TL/KE1)	volkmar.theobald@ccm-euproject.com
Open Door Day of the Constitutional Court of Moldova for Diplomatic and Consular Missions Accredited to the Republic of Moldova	November 2016 Chisinau, premises of the Constitutional Court of the Republic of Moldova	Mr Mamuka Jgenti (KE4)	mamuka.jgenti@gmail.com
Trainings of Judges of Courts of Ordinary Jurisdiction and Prosecutors Regarding the Applications to the CCM in Cooperation with EU Funded IPD and ATRECO Projects	November-December 2016 Chisinau	Mr Mamuka Jgenti (KE4) Ms Toma Birmontiené (KE2)	mamuka.jgenti@gmail.com toma.birmontiene@ccm-euproject.com
Information Visits of the CCM Judges and Staff to the Council of Europe and the Constitutional Court of Germany	6-11 November 2016 Strasbourg, France Karlsruhe, Germany	Mr Volkmar Theobald (TL/KE) Mr Mamuka JGENTI (KE4)	volkmar.theobald@ccm-euproject.com mamuka.jgenti@gmail.com
International Conference – the Role of Constitutional Courts in Solving Constitutional Crises	2 December 2016 Chisinau	Ms Toma Birmontiené (KE2) Mr Gábor Attila Tóth (KE3)	toma.birmontiene@ccm-euproject.com gabor.attila.toth@ccm-euproject.com
Production of Promotional Video Materials on the Constitutional Court of the Republic of Moldova	December 2016 Chisinau	Mr Mamuka Jgenti (KE4)	mamuka.jgenti@gmail.com
Trainings of Journalists and NGO Representatives on the Exception of Unconstitutionality	January 2017 Chisinau	Mr Mamuka Jgenti (KE4)	mamuka.jgenti@gmail.com
CCM Open Door Day for Students from the Regions of the Republic of Moldova	January 2017 Chisinau	Ms Toma Birmontiené (KE2) Mr Mamuka Jgenti (KE4)	toma.birmontiene@ccm-euproject.com mamuka.jgenti@gmail.com
Publication of the First 2017 Bulletin of the Constitutional Court of the Republic of Moldova	January 2017 Chisinau	Ms Toma Birmontiené (KE2)	toma.birmontiene@ccm-euproject.com

The views expressed in this publication do not necessarily reflect the views of the European Union.