

REGULATION
on the organisation and functioning of the
Department for International Legal Cooperation

I. General Provisions

The Department for International Legal Cooperation (hereinafter referred to as “the Department”) is a subdivision within the Ministry of Justice. In its activity, the Department is guided by the Constitution of the Republic of Moldova, laws and decisions of the Parliament, decisions and dispositions of the Government, orders and acts of the Ministry of Justice, indications of the Minister, international treaties to which Moldova is a party, as well as by the present Regulation.

II. Responsibilities of the Department for International Legal Cooperation

1. Fulfilment of its obligations in terms of international legal cooperation or of other areas of justice and guarantee together with other departments of the Ministry, as well as with other ministries interested in the participation of the Republic of Moldova in the European and international structures;
2. Participation together with other subdivisions in the elaboration of international treaty projects in terms of civil, family and criminal material, of conventions and agreements in the field of justice, guarantee of their fulfilment, analysis and generalisation of the experience of this activity;
3. Elaboration of international treaty projects in the field of legal assistance;
4. Participation, in accordance with the law, in negotiations in order to conclude bilateral conventions in terms of international legal assistance;
5. Notification of international treaty projects in the field of legal assistance elaborated by other ministries and departments;
6. Cooperation in order to fulfil its responsibilities with the other subdivisions of the Ministry, as well as with other national institutions and authorities;
7. Guarantee of cooperation with the Ministries of Justice and competent authorities from other countries;
8. Presentation of information regarding the legislation of the Republic of Moldova at the request of foreign authorities and international organisations;
9. Participation in the elaboration of legislative and normative act projects which regulate the international legal assistance;
10. Examination of requests of granting international legal assistance;
11. Guarantee of the representation of interests of the Ministry of Justice in the courts on criminal and civil cases, in order to grant international legal assistance;

III. Rights of the Department for International Legal Cooperation

12. Collaboration with the subdivisions of the Ministry, public authorities and other public law or private law legal entities;
13. Request and receiving from the central and local public administration authorities, as well as from other interested institutions and organisations of information and notifications;
14. Consultation of the public authorities and other public law or private law legal entities within the limits of its functional competence.

IV. Structure of the Department for International Legal Cooperation

The staff of the Department consists of 5 units:

head – 1 unit, superior consultant –1 unit, consultant – 2 units, main expert – 1 unit.

The head of the Department has the following responsibilities:

15. Coordinates the field of activity regarding the process of elaboration of projects of international instruments in the field of legal assistance;
16. Insures the notification of bilateral treaty projects in accordance with the legislation of the Republic of Moldova;
17. Organises, coordinates, monitors and assesses the ways of application of bilateral treaties and multilateral conventions in the field of activity;
18. Assesses the professional performances and identifies the training needs;
19. Conducts and manages the activity of the Department, being also responsible for the functional operational decisions taken within it.

The superior consultant has the following responsibilities:

20. Elaborates the international treaty projects in the field of international legal assistance;
21. Notices the bilateral treaty projects in the field of legal assistance, submitted by the central public authorities of the Republic of Moldova, as well as those submitted by the foreign authorities;
22. Monitors the application of bilateral treaties and multilateral conventions in the field of international legal assistance;
23. Analyses and synthesises the data, phenomena and processes of granting international legal assistance, in order to improve its efficiency at the national, regional and international levels;
24. Examines the requests of international legal assistance and monitors their execution by the competent authorities of the Republic of Moldova; represents the interests of the Ministry of Justice in the courts on criminal and civil cases, in order to grant international legal assistance.

The consultant has the following responsibilities:

25. Fulfils the responsibilities of high complexity in the field of international legal assistance, as well participates in the process of elaboration of international treaty projects in the field of international legal assistance;
26. Elaborates the notification of the projects of international instruments in the field of legal assistance, submitted by the central public authorities of the Republic of Moldova and by those of the foreign authorities;
27. Monitors the application of bilateral treaties and multilateral conventions in the field of international legal assistance;
28. Examines the requests of international legal assistance and monitors their execution by the competent authorities of the Republic of Moldova; represents the interests of the Ministry of Justice in the courts on criminal and civil cases, in order to grant international legal assistance.

The main expert has the following responsibilities:

29. Executes the responsibilities of medium complexity in the field of international legal assistance;
30. Applies the necessary methods and procedures for granting an efficient international legal assistance;
31. Implements the provisions of the bilateral treaties and multilateral conventions in the field of international legal assistance;
32. Examines the requests of international legal assistance and monitors their execution by the competent authorities of the Republic of Moldova.

The collaborators of the Department for International Legal Cooperation answer personally for the fulfilment of their service responsibilities on time and in accordance with the legislation in force.