

Justice

Metadata

National Bureau of Statistics of the Republic of Moldova (NBS)

1. Contact information

1.1. Responsible subdivision within NBS

Social Services and Living Conditions Statistics Division

1.2. Contact person

Liubovi Stoianov, Head of Division

tel.: +373 22 73 15 68

e-mail: liuba.stoianov@statistica.gov.md

2. Metadata Update

2.1. Last certification of metadata

31.01.2018

2.2. Last update of metadata

31.01.2018

3. Statistical Presentation

3.1. General description

Justice statistics offers necessary information for describing and assessing crime situation and the performance level of the legal system. This information provides data for policy makers in crime area.

3.2. Concepts and definitions

3.2.1. Definitions

Registered crime – socially dangerous action, revealed and officially taken at the evidence by law institutions, according to law legislation

Exceptionally serious crime is an offence committed with intention for which the criminal law provides life detention.

Extremely serious crime is considered to be the offence committed with intention for which the criminal law provides for a maximum imprisonment sentence exceeding 15 years.

Serious crime is an offence for which the criminal law provides for a maximum sentence of imprisonment up to 15 years.

Less serious and slight crime is an offence for which the criminal law provides for a maximum sentence of imprisonment up to 2 years inclusively.

Crime related to drugs' illegal circulation represents the illegal activity regarding the circulation, possession, storage, issuance, trade, procurement of drugs without authorization.

Scam - illicit acquisition of assets of another person through deception or abuse of power.

Theft - secretly stealing another person's property.

Hooliganism - deliberate actions grossly violating public order involving violence or threats of violence or resistance to authorities' representatives or to other persons who suppress such actions as well as actions that by their content are distinguished by an excessive cynicism or impudence.

Robbery – open appropriation of another person's goods.

Murder – action leading to taking the life of another person.

Taking a child out of the country based on false documents or any other illegal means and his/her abandonment abroad for other purposes.

Burglary - an offence against a person aimed at the appropriation of goods involving violence dangerous to the life or health of the person attacked or the threat of such violence.

Rape - sexual intercourse committed by the physical or mental coercion of the person, or by taking advantage of the victim's incapacity to defend himself/herself or to express his/her will.

Criminal records represent the legal condition of a person which occurs as soon as the conviction sentence is final, generating unfavorable legal consequences for the convicted person until he/she is rehabilitated or his/her criminal records are extinct.

Convict is the person for whom the conviction sentence has become, partially or integrally, final.

Smuggling – transportation on a large scale of goods, objects, and other valuables across the customs border of the Republic of Moldova circumventing customs control or concealing the goods from customs control by hiding them in compartments specially prepared or adjusted for this purpose or fraudulently using documents or other means of customs identification or involving the non-declarations or inauthentic declarations in customs documents or in other border-crossing documents.

Contravention – illegal action or inaction with a lower social danger level than crime, committed with guilt, which attempts to the social values protected by law.

Detention – any form of institutional deprivation of freedom, ordered based on a final or executive decision of the court (investigation judge), issued under the conditions set in the Criminal Procedure Code.

Detainee – a person deprived of freedom in compliance with legal conditions, who is detained in penitentiaries, regardless of his/her status (convicted or prevented).

Penitentiary institutions – institutions subordinated to the Department of Penitentiary Institutions, in which the persons convicted to imprisonment and life detention according to the court decisions execute their sentences, as well as temporary detention places for the persons subject to preventive arrest.

Adult – the person who turned 18 years old.

Minor – the person who did not yet turn 18 years old.

Trafficking of children - the recruitment, transportation, transfer, harboring, or receipt of a child, as well as giving or receiving payments or benefits to obtain the consent of the person who exerts control over the child for the purpose of commercial or non-commercial sexual exploitation; exploitation by forced labor or services; exploitation in slavery; participating in armed conflicts; participating in criminal activities; removing human organs or tissues; abandonment abroad.

Intentional severe bodily injury or life-threatening damage to health or that caused the loss of sight, hearing, speech or another organ, or the cessation of its functioning, mental disease or some other form of health damage accompanied by the permanent loss of at least one-third of the capacity to work or resulting in a miscarriage or an incurable disfiguration of the face and/or adjacent areas.

Family violence is defined as any intentional action or inaction of physical and verbal nature, by a family member against other family members, through physical abuse causing health, psychological, material or moral damages.

3.2.2. Unit of measurement

Indicators expressed in absolute values:

Number of crimes – cases

Persons who have committed crimes, convicted persons, detained persons – thousand persons

Indicators expressed in relative values:

per 100 thousand inhabitants – crime rate, rate of persons who have committed crimes, convicted persons,

detained persons, criminal records.

3.2.3. Formula of calculation

I. Crimes

1. Rate of registered crimes per 100 thousand inhabitants:

$$NI = \frac{I}{P} * 100000$$

where:

NI - number of registered crimes per 100 thousand inhabitants during the reference year;

I – total number of registered crimes during the reference year;

P – number of stable population during the reference year;

II. Persons who committed crimes

2. Rate of perpetrators per 100 thousand inhabitants:

$$NP = \frac{N_{\text{inf}}}{P} * 100000$$

where:

NP - number of perpetrators per 100 thousand inhabitants

N_{inf} – total number of perpetrators;

P – number of stable population during the reference year;

3. Rate of convicted persons per 100 thousand inhabitants

$$NC = \frac{N_{\text{cond}}}{P} * 100000$$

where:

NC - number of convicts per 100 thousand inhabitants

N_{cond} – total number of convicts;

P – number of stable population during the reference year;

4. Rate of detained persons per 100 thousand inhabitants

$$ND = \frac{N_{\text{det}}}{P} * 100000$$

where:

ND - number of detainees per 100 thousand inhabitants

N_{det} – total number of detainees in penitentiaries of closed type;

P – number of stable population during the reference year;

5. Juvenile crime rate

$$MI = \frac{M_{\text{inf}}}{P} * 100000$$

where:

MI - number of minors who have committed crimes per 100 thousand inhabitants

M_{inf} – total number of minors who have committed crimes;

P – number of stable population during the reference year;

6. Rate of minor convicts per 100 thousand inhabitants

$$MC = \frac{M_{cond}}{P} * 100000$$

where:

MC - number of minor convicts per 100 thousand inhabitants

M_{cond} – total number of minor convicts;

P – number of stable population during the reference year;

7. Rate of minor detainees per 100 thousand inhabitants

$$MD = \frac{M_{det}}{P} * 100000$$

where:

MD - number of minor detainees per 100 thousand inhabitants

M_{det} – total number of minor detainees in penitentiary institutions;

P – number of stable population during the reference year;

Note: the number of stable population at the beginning of the year is used for all calculations

3.3 Used classifications

Administrative-territorial units:

Classifier of Administrative-Territorial Units of the Republic of Moldova (CUATM - *Clasificatorul unităților administrativ-teritoriale al Republicii Moldova in Romanian*), approved via Moldova-Standard department Decision No. 1398-ST dated 03.09.2003; enforced since 03.09.2003.

Decision no. 121/254/286-0/95 dated July 18, 2008 “On single record keeping of crimes, criminal cases, and persons who committed crimes”. (Joint decision of General Prosecutor office, Ministry of Internal Affairs, National Anticorruption Center and Customs Service). The decision was revised and completed on January 01, 2013 with victim file (F2).

Crimes are classified based on the following legislative acts:

- Criminal Code of the RM (Code No. 985-XV dated 18.04.2002)
- Criminal Procedure Code of the RM (Code No. 122-XV dated 14.03.2003)

Contraventions are classified based on:

- Contravention Code of the RM (Code No. 218-XVI dated 24.10.2008)

3.4 Scope

3.4.1 Sector coverage

Statistical surveys from justice area cover all the law enforcement bodies which according to the Criminal and Contravention Code are entitled to apply sanctions.

3.4.2 Statistical population

Crime statistics – crime and person who committed crime and victim are the primary survey units

Statistics of determined offences – bodies having the right to sanction

Penitentiary institutions – persons convicted to detention according the court sentence.

3.4.3 Geographical coverage

The information is developed and disseminated without the data of the enterprises and organizations from the left part of the River Nistru and Bender municipality. Only the police offices subordinated to the MIA of the RM are reporting.

3.4.4 Time coverage
Time series are available starting with 1995. Starting with 2000, information on convicts is not available by age and areas of residence, because the Ministry of Justice has no technical support for generalizing these data.
3.5 Level of disaggregation
Perpetrated crimes are <u>disaggregated</u> by: <ul style="list-style-type: none"> ▪ types (data on crimes, persons who committed crimes); ▪ age ▪ sex ▪ areas of residence; ▪ economic development regions (North, Center, South, Chisinau mun., ATU Gagauzia, Bender mun.); ▪ bodies entitled to sanction Perpetrators are <u>disaggregated</u> by: <ul style="list-style-type: none"> ▪ types (data on crimes, persons who committed crimes); ▪ age ▪ sex ▪ areas of residence; ▪ economic development regions (North, Center, South, Chisinau mun., ATU Gagauzia, Bender mun.); ▪ bodies entitled to sanction Convicts are <u>disaggregated</u> by: <ul style="list-style-type: none"> ▪ types (data on crimes, persons who committed crimes); ▪ applied sanctions ▪ sex ▪ economic development regions (North, Center, South, Chisinau mun., ATU Gagauzia, Bender mun.); Detainees in penitentiary institutions are <u>disaggregated</u> by: <ul style="list-style-type: none"> ▪ types (data on crimes, persons who committed crimes); ▪ age ▪ sex ▪ detention period <p>If disaggregated data cover confidential information, they are not disseminated; they are aggregated at the minimum available level to ensure data confidentiality.</p>
3.6 Periodicity of dissemination
Quarterly – indicators on criminality and perpetrators Annually – convicts and detainees in penitentiary institutions, number of determined offences
3.7 Timeliness
Monthly – on the 10 th day after the reporting period Quarterly - on the 10 th day after the reported period, Annually – February.
3.8 Revision
Data are final when disseminated for the first time.
3.9 Period of reference
Month, quarter, calendar year.

4 Data Collecting and Processing
4.1 Data source
4.1.1 Statistical surveys
<p>Statistical report no.1 cc “Determined offences” provides the following primary indicators:</p> <ul style="list-style-type: none"> • number of determined offences; • number of adopted decisions; • applied sanctions: warning, fine, confiscation, deprivation of some rights, community non-remunerate work, contravention arrest.
4.1.2 Administrative sources
<p>Ministry of Internal Affairs submits to NBS information regarding the number of crimes registered by the following bodies:</p> <ul style="list-style-type: none"> • Rayon/municipal police sections, based on the file of determined offences (No. 1) and on the file of persons who committed crimes. • Rayon/municipal police sections, based on the file of road accidents evidence. • Rayon/municipal prosecutor offices, based on the file regarding the criminal prosecution organization and results (No. 1.1) • National Anticorruption Center, based on the file of crime victim (No. 2.0) • Customs Service, based on the file of the individual who has perpetrated the crime (2.1) and the file of the legal entity which perpetrated the crime (2.2) <p>Data are processed and generalized by the Ministry of Internal Affairs.</p> <p>Ministry of Justice submits to NBS information on number of convicts based on the information presented by the rayon/municipality courts. Information is processed and generalized by the MJ. The primary record keeping of data is performed based on the statistical file of the defendant, as well as the court activity forms.</p> <p>Penitentiary Institutions Department submits to NBS information regarding the number of detainees within penitentiary institutions. The primary record keeping of statistical data is carried out based on the arrested person. The penitentiary institutions present information according to the following forms:</p> <ul style="list-style-type: none"> • form no. 1. “Number of persons detained in penitentiaries” • form no. 2 “Number of convicts and their movement during the year” • form no. 3 “Number, composition and movement of detainees in detention on remand”.
4.1.3 Estimations
Not applicable
4.2 Characteristics of the statistical survey/administrative sources
4.2.1 Objective and background
<p>Statistical data on justice area are available starting with 1944.</p> <p>In 2010, the National Bureau of Statistics (NBS) has developed for the first time, the statistical publication “Criminality in the Republic of Moldova”, which contains statistical data regarding the crime situation in the Republic of Moldova. The publication contains statistical data for 2000-2008.</p> <p>Quarterly, generalized data on crime statistics is presented to the Statistical Committee of CIS, and questionnaires requested by UN are filled in.</p>
4.2.2 Statistical unit
The survey unit is: rayon police station, prosecutor’s office, court, penitentiary institutions.
4.2.3 Circle of units covered in the survey
The circle of units covered in the survey includes 44 rayon and municipal police stations, 49 courts, 17 penitentiary institutions, 39 –organs entitled to apply sanctions according to the Contravention Code.

4.2.4 Survey periodicity
Annually – indicators regarding the number of convicts and detainees. Monthly – indicators on crime perpetration
4.2.5 Data collection
<p>NBS:</p> <p>Statistical Report 1cc “Determined contraventions” is carried out through statistical territorial offices, which subsequently send the statistical reports to the Social services Division of NBS for processing and generalization.</p>
4.3 Processing and compilation of data
4.3.1 Validation of data
<p><i>Logical control conditions</i> at the questionnaire level aim: to follow and verify the logical flow in the questionnaire; to observe the correlation between the data/answers in different chapters; to verify if data corresponding to certain indicators fit into normal limits; and to eliminate some illogical or aberrant answers.</p> <p><i>Integrity verification conditions</i> aim to follow the correlation and to verify the identification data of reporting units from the nomenclature with those filled in with data. Data confidentiality is ensured at all the stages of statistical survey.</p>
4.3.2 Quality assurance
<p>The quality of statistical data is assured by observing the fundamental principles of official statistics approved by the UN Economic Commission for Europe in 1992 (and Statistical Commission/UN in 1994), as well as those set forth in the Republic of Moldova Law on Official Statistics.</p> <p>In its activity of producing statistical information, NBS pays huge importance to ensuring high quality of data. In this respect, a number of measures for quality assurance are carried out at every stage of the statistical process: organization of statistical surveys, collection, processing, and development of statistical information.</p> <p>Important efforts are undertaken to ensure the plenitude and quality of data presentation by the respondents included in the statistical surveys.</p> <p>Errors, inconsistencies, and suspicious data are brought to light so as to be verified and corrected.</p> <p>The primary data are verified and analyzed from internal coherence point of view (within the questionnaire), temporal coherence (with data from previous periods), with data of other similar units, as well as with data available from other statistical surveys and administrative data sources. The missing or inconsistent data are imputed, if needed.</p> <p>To ensure the quality of the primary data, meetings (seminars) are organized with interviewers – respondents for explaining the definitions, the correct way to fill in the questionnaires, especially when they are modified or implemented.</p>

5 Comparability and Coherence
5.1 International comparability
The methodology for developing statistical indicators in justice area are partially harmonized with the standards of the UNDOC
5.2 Comparability over the time
<p>Data on crime perpetration by level of severity are comparable starting with 2003, when the Criminal Code in its edition from 18.04.2002 was enforced.</p> <p>Data regarding the determined offences are comparable up to 2009, due to the enforcement of a new Contravention Code (entered into force on 31.05.2009) and respectively due to the modification of articles’ content, as well as of the number of law enforcement agencies applying sanctions.</p>

6 Institutional Mandate (normative-legal basis)

The NBS activity is based on respecting the Republic of Moldova Constitution, the Law on Official Statistics No. 93 dated 26.05.2017, other legislative and normative acts, NBS management decisions and orders.

The Law on Official Statistics regulates the organization and operation of the unique system of official statistics, establishing the general principles for collecting, processing, centralizing, diminishing, and stocking statistical information (art.1).

Art. 5 of the Law provides that the production of statistical information is based on respecting the following principles: impartiality, objectiveness, relevance, transparency, confidentiality, cost-efficiency etc.

Being the central statistical body, the National Bureau of Statistics is an administrative authority created under the Government for leading and coordinating the activity in the statistics area.

In line with the Government Decision No. 1034 dated 29.12.11 on approval of the NBS Regulation and the Nominal Composition of the NBS Collegium, the National Bureau of Statistics:

- develops alone or jointly with other central administrative authorities and approves the methodologies for statistical surveys, as well as the methodologies for calculating statistical indicators, in line with the international standards, especially the EU standards, and with the advanced practice of other countries, and taking into account the peculiarities of the social-economic conditions of the Republic of Moldova;
- organizes, in line with the Program of Statistical Work, approved annually by the Government, statistics surveys regarding the economic, social, and demographic situation and development of the country, carrying out collection, processing, centralization, stocking, and dissemination of statistical data;

The legislative and normative acts ruling the activity of the NBS are available on its official page www.statistica.md, under About NBS (<http://www.statistica.md/pageview.php?l=en&idc=323&>)

7 Confidentiality

7.1 Principles

According to art. 19 of the Law on Official Statistics No. 93 dated 26.05.2017, producers of official statistics shall take all regulatory, administrative, technical and organizational measures to protect confidential data and prevent their disclosure.

Chapter VII of the above-mentioned law stipulates that the data collected, processed and stored for the production of statistical information are confidential if they allow the direct or indirect identification of the respondents.) The following shall not be considered confidential:

- a) data that can be obtained from publicly accessible sources according to the legislation;
- b) individual data on address, telephone, name, type of activity, number of employees of legal entities and individual entrepreneurs;
- c) data referring to public enterprises, institutions and organizations funded from the budget, submitted at the request of the public administration authorities.

According to the Law on Official Statistics, art. 20, access to confidential information is granted to the persons who, according to their official functions, participate in the production of statistical information shall have access to individual data in so far as individual data are necessary for producing this information.

The same article stipulates that the access to individual data, which do not allow the direct identification of respondents, may be given for scientific survey projects, whose expected results do not refer to identifiable individual units, under the regulation approved by the central statistical authority.

Art. 23 (5) of the Law stipulates that the the statistical information cannot be disseminated to users if it refers to 1-3 statistical units.

7.2 Practical assurance of the confidentiality rules

To ensure the protection of confidential statistical data in compliance with the Law on Official Statistics No. 93 dated 26.05.2017, the National Bureau of Statistics undertakes all the regulatory, administrative, technical, and organizational measures to protect the confidential statistical information and prevent its disclosure.

In compliance with the above-mentioned law, the employees of producers of official statistics, including temporary employees who, according to their official functions, have direct access to individual data shall be obliged to observe the confidentiality of these data during and after termination of employment.

Before being disseminated, the statistical data are verified if they meet the protection requirements set for confidential data. If the statistical data contain confidential information (see p. 7.1), they are not disseminated, but aggregated at the minimum available level which ensures the protection of data confidentiality.

8 Access to Information and Dissemination Format

8.1 Access to information

8.1.1 Calendar of statistical publications

Annually the Advance release calendar is developed by NBS.

8.1.2 Access to the calendar of statistical publications

The press release calendar is posted on the NBS official page www.statistica.md.

8.1.3 Access to statistical data

According to the Law on Official Statistics No. 93 dated 26.05.2017, art. 23:

- a) Producers of official statistics shall be obliged to disseminate the statistical information within the deadlines specified in the programme of statistical works and in the press-release calendar.
- b) The dissemination of statistical information laid down in the programme of statistical works to all categories of users shall be made free of charge and under equal access conditions in terms of volume, quality and time of dissemination

The program of statistical work may be accessed on the web page www.statistica.md, under About NBS / legislative and normative acts (<http://www.statistica.md/pageview.php?l=en&idc=323&>)

The NBS web page www.statistica.md represents the most important information source for ensuring users' access to different statistical information and transparency about the NBS activity.

All the operative information, informative notes, time series, as well as the statistical publications developed by NBS are placed on its official web page.

8.2 Dissemination format

8.2.1 Operative information / Analytical notes

The operative information and analytical notes are published on the official page of NBS: <http://www.statistica.md> under Press Releases, according to the Press Release Calendar.

8.2.2 Publications

Publications developed by NBS which contain statistical data on justice:

- Compilation "*Criminality in the Republic of Moldova*" contains tables with annual data, as well as information regarding the evolution over the time of the main crime indicators;
- other statistical publications: Statistical Yearbook; Statistical pocket-book "Moldova in figures"; Territorial statistics.

Access to publications:

- in electronic format, on NBS official page www.statistica.md, under Products and services / Publications <http://www.statistica.md/pageview.php?l=en&idc=350&nod=1&>
- on hardcopies – in the NBS library (more details at the address <http://www.statistica.md/libview.php?l=en&idc=340&id=2400>)
- or may be bought from NBS office (more details on www.statistica.md, under Publications

http://www.statistica.md/pageview.php?l=en&idc=350&id=2219)
8.2.3 Database/time series
<p>- Statistical databank http://www.statistica.md/pageview.php?l=en&idc=407 , under Social statistics / Justice</p> <p>- NBS official page: http://www.statistica.md under: Press Release, Statistics by themes / Justice, Publications / Social statistics;</p>
8.2.4 Questionnaires/data sent upon request from international organizations
<p>CIS Questionnaires</p> <ul style="list-style-type: none"> • 23.1 Registered crimes – quarterly • 23.2 Crime and criminal records – annually • 23.3 Number of convicts by type of sentence – annually • 23.4 Sequestration of narcotic substances – annually • 23.5 Material damage caused as a result of crimes - annually
8.2.5 Request for additional data
<p>NBS makes available for users additional statistical information beyond the data presented in the statistical publications, informative notes, operative information, as well as the data placed on the official web page in the limits of available information, in line with the Law on Official Statistics.</p> <p>Request can be sent personally, by post, by e-mail moldstat@statistica.gov.md or via online web form – www.statistica.md heading Products and services / Statistical data request http://www.statistica.md/solicitare_informatii_statistice.php?l=en.</p>

9 Useful References (links)	
9.1 Accessibility of documentation on methodology	
The methodology is available on the official page www.statistica.md , under Metadata (http://www.statistica.md/pageview.php?l=en&idc=351&nod=1&).	
9.2 Accessibility of documentation on Evaluation Reports	
The NBS assessment reports are available on the official page www.statistica.md , under About NBS / Assessments and opinions on NBS / Assessment reports (http://www.statistica.md/pageview.php?l=en&idc=399&id=2739).	
9.3 Accessibility of information on user surveys	
User surveys are available on the official page www.statistica.md , under About NBS / Assessments and opinions on NBS / User surveys (http://www.statistica.md/pageview.php?l=en&idc=399&id=2740).	
9.4 Other useful references	
UNData database	http://data.un.org/Browse.aspx
UNECE database	http://w3.unece.org/pxweb/database/STAT/30-GE/07-CV/?lang=1
Eurostat	http://ec.europa.eu/eurostat/data/database
UNODC	http://www.unodc.org/