

Justice

Metadata

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

1. Contact information

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Social Services Statistics Division

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2. Metadata Update

2.1. Last certification of metadata

10.03.2020

2.2. Last update of metadata

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3. Statistical Presentation

3.1. General description

Justice statistics provide information needed to describe and evaluate the level of criminality and the justice system. The data are intended for representatives of central and local public administration, involved in decision-making in the field of justice and human rights, as well as non-governmental organizations, representatives of the academic environment, the media, who monitor and analyze the level of criminality and respect for human rights and also, for the general public.

3.2. Concepts and definitions

3.2.1. Definitions

Registered crime (offence) – socially dangerous act, revealed and officially taken at the evidence by law institutions, according to law legislation.

Contravention - the act or the illicit inaction, with a lower degree of social danger than the crime, committed with guilt, which violates the social values protected by the law.

Exceptionally serious crimes are offences committed with intention for which the criminal law provides life detention.

Extremely serious crimes are offences committed with intention for which the criminal law provides for a maximum sentence of detention exceeding 12 years.

Serious crimes are those offences for which the criminal law provides for a maximum sentence of detention up to 12 years inclusively.

Less serious crimes are offences for which the criminal law provides for a maximum sentence of detention up to 5 years inclusively.

Minor crimes are offences for which the criminal law provides for a maximum sentence of detention up to 2 years inclusively.

Crimes 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 the property of another person, by misleading one or more persons, by

presenting as true a false fact or as a liar a true fact, in terms of nature, substantial qualities of the object, of parties (if their identity is the determining reason for the conclusion of the juridical act) of the null or annulable legal act, or if its conclusion is determined by the delusive or cunning behavior, that has caused considerable damages.

Theft – hidden way of stealing property of another person.

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 death of another person.

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

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

Criminal antecedent represent the legal condition of a person, occurring when the conviction sentence is final, generating unfavorable legal consequences for the convicted person until the person is rehabilitated or the criminal record are extinct.

Smuggling - crossing over the customs border of the Republic of Moldova, of goods whose value exceeds 100 of average monthly projected salaries per economy, established by the Government decision, in force at the time of the act, ignoring the customs control or hiding them, by hiding in places specially prepared or adapted for this purpose, either by fraudulent use of documents or means of customs identification, or by non-declaration or inauthentic declaration in customs documents or in other border crossing documents.

Illegal removal of children out of the country based on false documents or any other illegal means and his/her abandonment abroad for other purposes.

Child trafficking - the act of recruiting, transporting, transferring, sheltering or receiving a child, as well as giving or receiving payments or benefits, in order to obtain the consent of a person, who has control over the child, for the purpose of commercial or non-commercial sexual exploitation, labor exploitation or forced services, for the purpose of begging practice or other basic purposes, for acquisition of aids, allowances or social benefits, for illegal use in medical or scientific tests or experiments, exploitation in slavery or in conditions similar to slavery, use in armed conflicts, use in criminal activity, collection of organs, tissues / or human cells, for sale or purchase, for use as a surrogate mother or for reproduction purposes, illegal adoption.

Serious intentional injury of bodily integrity or health that is life-threatening or that causes loss of vision, hearing, hearing or other organs or cessation of its functioning, mental illness or other health injury, accompanied by stable loss of health at least one third of the work capacity, or that led to the interruption of the pregnancy or to an irreparable disfigurement of the face and / or of the adjacent regions.

Domestic violence is defined as the intentional action or inaction, committed by one family member, in relation to another family member, manifested by mistreatment, other violent actions, resulting in slight injury to bodily integrity or health, isolation, intimidation in order to impose the will or personal control over the victim, the deprivation of economic means, including the lack of means of primary existence, neglect, if they caused the victim a slight injury of bodily integrity or health.

Road traffic accident - an event produced as a result of the violation of road traffic safety rules, in which one or more vehicles in circulation on public road were involved, which resulted in the injury of health, bodily integrity, death of one or of more people or material injury was caused;

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

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.

Prisoner– a person deprived of freedom in compliance with legal conditions, held in penitentiary, regardless of his/her status (convicted or prevented).

Penitentiary institutions – institutions subordinated to the National Administration of Penitentiaries, 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.

Minor –a person aged up to 18 years old.

3.2.2. Unit of measurement

Indicators expressed in absolute values:

Number of crimes – cases

Persons who have committed crimes, convicted persons, prisoners – persons

Indicators expressed in relative values:

per 100 thousand inhabitants – crime rate, offender rate, conviction rate, prison rate.

3.2.3. Formula of calculation

I. Crimes

1. Crime rate per 100 thousand inhabitants:

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

where:

NI – Crime rate of registered crimes per 100 thousand inhabitants during the reference year;

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

P – number of population during the reference year;

2. Juvenile crime rate per 100 thousand children

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

where:

MI - number of crimes committed by minors (0-17 years old) per 100 thousand children of the respective age

M_{inf} – total number of crimes committed by minors (0-17 years old);

P – number of children population (0-17 years old) during the reference year;

II. Persons who committed crimes

3. Offender rate 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 population during the reference year;

4. Conviction rate per 100 thousand inhabitants

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

where:

NC - number of convicted persons per 100 thousand inhabitants

N_{cond} – total number of convicted persons;

P – number of population during the reference year;

5. Minor conviction rate per 100 thousand children

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

where:

MC - number of minor (0-17 years old) convicted per 100 thousand children

M_{cond} – total number of minor (0-17 years old) convicted;

P – number of children population (0-17 years old) during the reference year;

6. Prison rate per 100 thousand inhabitants

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

where:

ND - number of prisoners per 100 thousand inhabitants

N_{det} – total number of prisoners in penitentiaries;

P – number of population during the reference year;

7. Minor prison rate per 100 thousand children

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

where:

MD - number of minor (0-17 years old) prisoners per 100 thousand children

M_{det} – total number of minor (0-17 years old) prisoners in penitentiary institutions;

P – number of children population (0-17 years old) during the reference year;

Note: For all calculations, since 2018, is used the number of the population with usual residence.

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.

Order no. 121/254/286-0/95 dated July 18, 2008 “On unique evidence 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 Order was reviewed 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

The statistical information in the field of justice includes all units with legal personality, regardless of their ownership, which according to the Classifier of Activities of the Economy of Moldova (CAEM) carries out the activity 84.23 "Activities of justice".

3.4.2 Statistical population

Statistical information from justice area cover all the law enforcement bodies that according to the Criminal Code (General Prosecutor office, Ministry of Internal Affairs, National Anticorruption Center and Customs Service) have the right of criminal prosecution and the right to find and apply sanctions according to the Contravention Code. Also, data regarding the convicted persons include all the courts and data on prisoners refer to all penitentiary institutions.

3.4.3 Geographical coverage

The information is collected and disseminated without data from the left side of the River Nistru and Bender municipality. Except for the police offices from Bender municipality, subordinated and which report to the MIA of the RM.

3.4.4 Time coverage

Time series are available since 1995.

3.5 Level of disaggregation

Committed crimes are disaggregated by:

- type of crime
- age
- sex
- area of residence
- region and district
- body entitled to prosecution

Contraventions are disaggregated by:

- category of contraventions
- type of punishment
- body entitled to find and apply punishment

Road traffic accidents are disaggregated by:

- injured persons
- region and district
- sex
- age

Perpetrators are disaggregated by:

- type of crime
- age
- sex
- area of residence
- region and districts

Convicted persons are disaggregated by:

- type of crime
- type of punishment
- sex

Prisoners in penitentiary institutions are disaggregated by:

- type of crime
- age
- sex

<ul style="list-style-type: none"> ▪ detention period <p>If disaggregated data contain confidential information, they are not disseminated; they are aggregated at the minimum available level to ensure data confidentiality.</p>
3.6 Periodicity of dissemination
<p>Quarterly – indicators on criminality, perpetrators and road traffic accidents</p> <p>Annually – the number of legal professionals and number of police officers, number of convicted persons and prisoners in penitentiary institutions, number of contraventions.</p>
3.7 Timeliness
<p>Monthly – on the 10th day after the reporting period</p> <p>Quarterly - on the 10th day after the reported period,</p> <p>Annually – February.</p>
3.8 Revision
Data are final when disseminated for the first time.
3.9 Period of reference
Month, quarter and calendaristic year.

4 Data Collecting and Processing
4.1 Data source
4.1.1 Statistical surveys
<p>Statistical report no.1 cc “Detected contraventions” provides the following primary indicators:</p> <ul style="list-style-type: none"> • number of detected contraventions; • number of adopted decisions; • sanctions applied: 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>Agency for the administration of the courts/Ministry of Justice submits to NBS information on the number of convicted persons based on the information presented by the rayon/municipality courts. Information is processed and generalized by the AAC/MJ. The primary records of data is performed based on the statistical file of the defendant, as well as the court activity forms.</p> <p>National Administration of Penitentiaries submits to NBS information regarding the number of prisoners within penitentiary institutions. The primary records of statistical data is carried out based on the arrested person file. The penitentiary institutions present information according to the following forms:</p> <ul style="list-style-type: none"> • form no. 1. “Number of prisoners in penitentiaries”

<ul style="list-style-type: none"> form no. 2 “Number of convicted persons and their movement during the year” form no. 3 “Number, composition and movement of prisoners in prosecution insulators”.
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 statistics area are available since 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 years.</p> <p>Quarterly, generalized data on crime statistics is sent to the Statistical Committee of CIS, and questionnaires requested by UN agencies.</p>
4.2.2 Statistical unit
<p>Crime statistics – the crime, the road traffic accident, the offender and the victim are the primary survey units.</p> <p>Statistics of contraventions – contravention.</p> <p>Statistics of convicted persons and prisoners – persons convicted to detention according the court sentence.</p>
4.2.3 Circle of units covered in the survey
The circle of units covered in the survey includes 43 rayon and municipal police stations, 15 courts, 18 penitentiary institutions, 40 bodies entitled to apply sanctions according to the Contravention Code.
4.2.4 Survey periodicity
<p>Annually – indicators regarding the number of convicts and detainees.</p> <p>Quarterly - indicators on road traffic accidents</p> <p>Monthly – indicators on crimes, perpetrators</p>
4.2.5 Data collection
<p>NBS:</p> <p>Statistical Report 1cc “Detected contraventions” is carried out through statistical territorial offices, which subsequently send the statistical reports to the Social services statistics Division of NBS for processing and generalization.</p>
4.3 Processing and compilation of data
4.3.1 Validation of data
<p>Logical control conditions at the statistical report level aim: to follow and verify the logical flow in the report; to observe the correlation between the data in different chapters; to verify if data correspond to normal limits of certain indicators; and to eliminate some illogical data.</p> <p>Integrity verification conditions aim to follow the correlation and to verify the identification data of reporting units from the nomenclature (list) with those filled in with data, to ensure the coverage of all reporting units, etc. Data confidentiality is ensured at all 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 adopted by the UN General Assembly on 29 January 2014, as well as those set forth in the national Law on Official Statistics no. 93 of 26 May 2017.</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>

Errors, inconsistencies, and suspicious data are brought to light so as to be verified and corrected.

The primary data are verified and analyzed from internal coherence point of view (within the questionnaire/statistical form), 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.

5 Comparability and Coherence

5.1 International comparability

The statistical indicators in the field of justice are collected and classified according to the national legislation. In the Republic of Moldova, the International Classification of Crimes for Statistical Purposes (ICCS) is not implemented, which ensures the comparability of crimes at international level according to the standards of the United Nations Office for Drugs and Crime (UNDOC).

5.2 Comparability over the time

Data on crimes by level of severity are comparable since 2003, when the Criminal Code in its edition from 18.04.2002 was enforced.

Data regarding contraventions are comparable since 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 bodies entitled to apply sanctions.

Since 2018, the relative indicators related to the number of the population, from 2014 have been revised to the number of the population with usual residence (until 2018, they were calculated to the number of resident population).

Usual residence is defined as the place at which the person has lived continuously for most of the last 12 months, not including temporary absences for recreation, holidays, visits to friends and relatives, business, medical treatment or religious pilgrimage.

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 functioning of the system of official statistics and sets the legal framework for the development, production, dissemination and coordination of official statistics (art.1).

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

The National Bureau of Statistics as a central authority in the field of statistics, is an independent institutional and professional administrative authority, created by the Government in order to coordinate the national statistical system on the development and production of official statistics.

According to Government Decision 935 of 24.09.2018 on the organization and operation of the NBS, the Bureau exercises the following tasks:

- 1) Coordinates the national statistical system on the development and production of official statistics;
- 2) Elaborates and implements strategies for the development of the national statistical system, annual and multiannual statistical programs;
- 3) Elaborates the normative and institutional framework necessary for the achievement of the strategic objectives in its field of activity, as well as the mechanisms for their implementation in practice;
- 4) Performs the management and control of the achievement in quality conditions of the programs and statistical plans adopted at central and regional level;
- 5) Harmonizes and aligns national statistical indicators, methodologies, methods and techniques with international regulations and standards;

6) Promotes the statistical culture in the society.

The legislative and normative acts ruling the activity of the NBS are available on its official page www.statistica.gov.md, under About NBS (<http://www.statistica.gov.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 referring to 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 having access to the extent that individual data is required to produce this information.

The same article stipulates that the access to individual data, which do not allow the direct identification of respondents, can be offered 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 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 are obliged to respect the confidentiality of these data during and after leaving the respective position.

Before dissemination, the statistical data are verified if they meet the protection requirements 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 Data Dissemination Calendar

Annually a data dissemination calendar is developed by NBS.

8.1.2 Access to the calendar of data dissemination

The data dissemination calendar is available on the NBS official page www.statistica.gov.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 are obliged to disseminate the statistical information within the deadlines specified in the programme of statistical works and in the data dissemination calendar.
- b) The dissemination of statistical information according to 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.gov.md, under About NBS / legislative and normative acts (<http://www.statistica.gov.md/pageview.php?l=en&idc=323&>)

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

All operative information, informative notes, time series, as well as the statistical publications developed by NBS are available 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.gov.md> under Press Releases, according to the Data Dissemination Calendar.

8.2.2 Publications

Publications developed by NBS which contain statistical data on justice:

- Publication "*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.gov.md, under Products and services / Publications (<http://www.statistica.gov.md/pageview.php?l=en&idc=350&nod=1&>)
- on hardcopies – in the NBS library (more details at the address <http://www.statistica.gov.md/libview.php?l=en&idc=340&id=2400>)
- or can be purchased at the NBS office (more details on www.statistica.gov.md, under Publications <http://www.statistica.gov.md/pageview.php?l=en&idc=350&id=2219>)

8.2.3 Database/time series

- **Statistical databank** <http://statbank.statistica.md>, under *Social statistics / Justice and crime*
- **NBS official page:** <http://www.statistica.gov.md> under:

- *Press Releases*
- *Statistics by themes / Social statistics / Justice and crime*
- *Publications / Social statistics*

8.2.4 Questionnaires/data sent upon request from international organizations

The questionnaire of the Statistical Committee of the Community of Independent States (CIS):

- 23.1 Registered crimes – quarterly
- 23.2 Crimes and criminal antecedents– annually
- 23.3 Number of prisoners– 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

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 and in line with the Law on Official Statistics.

A request can be sent personally, by post, by e-mail moldstat@statistica.gov.md or via online web form – www.statistica.gov.md heading Products and services / Statistical data request http://www.statistica.gov.md/solicitare_informatii_statistice.php?l=en

9 Useful References (links)

9.1 Accessibility of documentation on methodology

The methodology is available on the official page www.statistica.gov.md, under Metadata (<http://www.statistica.gov.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.gov.md, under About NBS / Assessments and opinions on NBS / Assessment reports (<http://www.statistica.gov.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.gov.md, under About NBS / Assessments and opinions on NBS / User surveys (<http://www.statistica.gov.md/pageview.php?l=en&idc=399&id=2740>).

9.4 Other useful references

UNData database	http://data.un.org/Browse.aspx
UNECE database	https://w3.unece.org/PXWeb2015/pxweb/en/STAT/S/TAT_30-GE_07-CV
Eurostat	http://ec.europa.eu/eurostat/data/database
UNODC	http://www.unodc.org/