

# THE DEVELOPMENT OF THE REGULATIONS REGARDING THE JURISDICTION AND THE LIQUIDATION OF THE COMMERCIAL COURT IN THE REPUBLIC OF MOLDOVA

**ALEXANDRU PRISAC**

*University of European Studies from Moldova  
Chişinău, Republic of Moldova  
alexandruprisac@yahoo.com*

## **Abstract**

*This article presents the development of the regulations regarding the general competence of courts and other jurisdictional bodies in the Republic of Moldova and Bessarabia. In particular, the causes and reasons for the liquidation of the District Commercial Court in the Republic of Moldova, which essentially changed the regulations regarding general jurisdiction, were exposed. Special attention was also paid to researching the development of the general jurisdiction and other jurisdictional bodies in the Republic of Moldova, an aspect that highlights the general jurisdiction of the Commercial District Court that was liquidated. Normative acts affecting the functionality of several jurisdictional bodies from the point of view of the institution of general competence were also analyzed. Also, some normative and legislative acts in this field are analyzed which are currently in force in the Republic of Moldova, but which require certain essential improvements. Thus, proposals were submitted to amend and supplement the legislation to improve the legal framework in this area.*

**Keywords:** *jurisdiction; court; commercial; constituency.*

**JEL Classification:** K34, K40.

## **1. REGULATION OF GENERAL COMPETENCE OF THE COURTS IN BASSARABIA UNTIL 1964**

In order to establish the general competence of the courts, it is necessary to identify the points of contact that exist between the activity of the courts and that of other bodies of jurisdiction or with jurisdictional activity to which the law for their organization and operation has recognized the possibility of solving some civil cases in their field of activity (Budă, 2020). In Bessarabia, with its annexation in 1812 by the Russian Empire, the tsar sought to preserve local laws and customs and decreed the administration of justice through a civil administration department, established according to the Regulation of July 23, 1812, regarding the provisional administration in Bessarabia. That department was appreciated by doctrinaires as judicial-police, because it had three colleges: one for the settlement of civil disputes, the second - for the examination of

crimes and the third - for the administration of the police (Boldur, 1929). This Regulation provided for the judicial and police powers of each individual college, which were easily delimited. In 1862 in the Russian Empire, in the second half of the century. in the 19th century, the substantial modification of the judicial system was pursued, and under the auspices of a specialized commission in 1862, the principles of judicial organization and the new judicial procedure were elaborated (Chisari-Lungu, 2016).

For the civil judicial procedure, it was established:

- 1) the separation of the judicial power from the executive power;
- 2) settlement of civil cases by justices of the peace, tribunals, the court of appeal, the court of cassation;
- 3) the inclusion in the jurisdiction of the justices of the peace of actions with a small value, which due to the specificity could be settled in the territory and were not accompanied by the need to determine the right of ownership over a building;
- 4) examination of the merits of the civil case in at most two courts;
- 5) examination in the first instance by the tribunal of all causes, which did not belong to the jurisdiction of the justices of the peace, all its decisions being subject to appeal within the appeal court;
- 6) the resolution by the court of appeal of all cases in which there were final decisions, these being, subsequently, subject to cassation only in certain cases provided by law;
- 7) the presentation by the prosecutors of the preliminary conclusions in the cases that had tangents with the interests of the treasury and in other cases established by law;
- 8) making the speech in public court sessions not by the secretary, but by one of the members of the court, who was entrusted with the examination of the case;
- 9) the examination of cassation requests was under the jurisdiction of a single court within the entire empire, namely, the Court of Cassation within the Senate;
- 10) establishment of authorized representatives for the protection of the rights of persons in litigation, in case they could not appear in person in the process;
- 11) the execution of court decisions belonged to the competence of judicial executors (Chisari-Lungu, 2016).

All these changes mostly aimed to modernize the regulations of the general jurisdiction of the courts, as well as the jurisdictional jurisdiction. However, the proclamation of a principle of law, even if it refers to a jurisdiction based on principles or general provisions, remains a formal interpretation, and not a normative act, as the judge announces rather than imposes the law (Shcherbanyuk, Gordieiev and Bzova, 2023).

## 2. THE REFORM OF THE COURTS IN BASARABIA

In Bessarabia, these reforms of the judicial system began in 1863. At the local level, two courts were formed: 1. The district justices of the peace; 2. The county congress of justices of the peace. The establishment of the competence of the justices of the peace for the settlement of a case took place, considering two criteria: the patrimonial nature of the litigation and the size of the action. The justices of the peace resolved only cases of a patrimonial nature, and those of a non-patrimonial nature, only if the law established this. As an example, the right to education over the child of divorced parents could be established by the justices of the peace, and disputes related to the defense of copyright could not be resolved by this court. It draws attention to the fact that the actions whose object was immovable property were not within the jurisdiction of the justice of the peace, and in Bessarabia the land ownership of both the peasants and the peasants who became owners on the basis of the social reform was very widespread, but it could be defended only by addressing the Chisinau Court, and not the justices of the peace. The county congress of justices of the peace had the status of a second-degree court (Chisari-Lungu, 2016). We note that in all these listed cases, the jurisdiction of the justices of the peace was regulated in detail in order not to admit certain legislative factors of corruption.

All these civil cases listed above belonged to the exclusive general jurisdiction (Zembrzusk, 2019) of the justices of the peace. However, there were also regulations regarding general contractual competence. Thus, in 1871 in Bessarabia, the *voloste* judges were created and were competent to resolve all disputes arising between peasants. So, they could also appeal to arbitration, or jurisdiction in the case of arbitration is called *jurisdiction-jurisdiction* (Munteanu, 2020). The peasants were also proposed to appeal by mutual agreement to an arbitral judgment, the decision of which was fixed in the *voloste* register, after which it became definitive (Chisari-Lungu, 2016). Therefore, it was left to the discretion of the peasants to choose the jurisdictional body to settle the civil dispute. This is where the first roots of the privatization of civil justice start (Zoroska, 2019), but the importance of the judicial system for the functioning of constitutional democracy is described as essential (Boryslavka, 2021).

Referral to arbitration took place by mutual agreement of both peasants in dispute, like an arbitration or compromise agreement. Civil disputes falling within the exclusive general competence of the district courts could not be the subject of arbitration. In particular, the disputes that could not be examined in arbitration were those regarding immovable property. This is because the use contrary to the purpose of the right to choose the court would constitute a so-called national "forum shopping" (Gajda-Roszczyńska, 2019). The said dispute was examined exclusively by the court in whose jurisdiction this real estate was located. So, when determining the jurisdiction of the court regarding

the settlement of disputes over immovable property, the rules of exceptional territorial jurisdiction were applied.

In the Civil Procedure Code of the R.S.S. Moldovan of 26.12.1964 (Supreme Soviet of The Moldova Soviet Socialist Republic, 1964), the regulations regarding general jurisdiction had a mixed character, since the rules regarding this legal institution were found within the provisions regarding material jurisdictional jurisdiction. Thus, according to art. 26 CPC of the S.S.R. Moldovan, entitled "The jurisdiction of the sector and municipal courts", provided: "The sector and municipal courts judge in the first instance:

- 1) all processes regarding civil, family, work, land, etc. legal relations, if at least one of the litigating parties is a citizen, except for the cases given by law in the competence of other bodies or courts;
- 2) complaints against the acts of the local public administration bodies, enterprises, institutions and organizations, as well as the persons with responsible positions, committed in violation of the law or exceeding the powers and which infringe the rights of citizens;
- 3) the causes with special procedure listed in article 244 of this code;
- 4) other reasons given by law in its jurisdiction".

So, these provisions contained both rules regarding the general competence of the courts, as well as regulations regarding the material jurisdictional competence. The first paragraph of the text para. (1) art. 26 CPC of the S.S.R. Moldovan (Supreme Soviet Of The Moldova Soviet Socialist Republic, 1964), stipulates regulations regarding the general competence of the courts since, on the one hand, it expressly lists the cases that are part of the exclusive competence of the District and Municipal Courts, and on the other hand, it excludes from the powers of these courts the processes given by law in the competence of other bodies or courts.

The mixed regulations of the general competence in the codifications of the procedural norms constitute a problem from the point of view of the clear perception of the essence of these provisions with others stipulated in the special laws. All this considering that, according to the nature of this legal institution, its regulations are to be provided in the civil procedural codifications, as a provision of the framework law for the other legal norms regarding the general competence that we find in many other legislative acts (Avornic, 2009). In these laws adjacent to the framework law, there are special rules regarding general jurisdiction for certain concrete legal relationships regarding the specifics of general jurisdiction regulations in the legal system). For this reason, the provisions relative to the general jurisdiction of the Code of Civil Procedure of the S.S.R. Moldovan from 1964 was not in the most successful consonance with the other provisions of other legislative acts that stipulated special legal norms regarding general jurisdiction.

A specific feature and appreciated by us regarding the regulation of the analyzed legal institution from the Code of Civil Procedure of the S.S.R. Moldovan (Supreme Soviet Of The Moldova Soviet Socialist Republic, 1964), was that the rules regarding general competence were stipulated in the general part of this legislative act, but those regarding jurisdictional competence were provided in the special part. This correlation between the regulations of general competence and those regarding jurisdictional competence is the most perfect, because the regulations of the first include the second, which characterizes a Code of Civil Procedure systematized in the general part and the special part. Unfortunately, in the Code of Civil Procedure of the Republic of Moldova there is no such correlation of these regulations, which leads us to propose by law *ferenda* to transfer the regulations on jurisdictional competence from Chapter IV, to Title II of the Code of Procedure Civil Code of the Republic of Moldova (Parliament of the Republic of Moldova, 2003), and in this title a new chapter with the name "Jurisdictional jurisdiction in civil cases" should be provided.

### **3. THE SPECIFIC REGULATION OF GENERAL COMPETENCE IN THE CODE OF CIVIL PROCEDURE OF THE REPUBLIC OF MOLDOVA**

A successful regulation of general competence, from the point of view of respecting the principle of the unity of legal regulations and the correlation of the system of normative acts set forth in the local doctrine (Negru and Cojocaru, 1997), existed in the Civil Procedure Code of the Republic of Moldova of 30.05.2003 in the version which was provided by Law no. 244 of 21.07.2006 (Parliament of the Republic of Moldova, 2006) for the amendment and completion of the Code of Civil Procedure of the Republic of Moldova. In that version, the general competence was regulated in a distinct chapter entitled "Chapter III. General competence", and jurisdictional competence in Chapter IV entitled "Jurisdictional competence". Chapter III regulated the jurisdiction of the courts (art. 28 CPC), the jurisdiction of the economic courts (art. 29 CPC), the transfer of the dispute to arbitration (art. 30 CPC), the jurisdiction in judging related claims (art. 31 CPC). The competence of the District Economic Court could be called a jurisdictional competence (Deleanu, 2013). This is the dual system of regulating the competence of jurisdictional bodies.

We mention that general competence and jurisdictional competence were correctly systematized in two distinct chapters, because they constitute two different legal institutions and have different regulatory objects, because they regulate distinct legal relationships. In chronological order, the general competence is to be regulated first and, subsequently, the jurisdictional competence, because the latter achieves a continuity of the investigated legal institution. Pursuant to the provisions of the general contractual jurisdiction, the parties through a contract choose, under the law, the jurisdictional body for the

resolution of the dispute that has arisen or that may arise in the future. That contract excludes the jurisdiction of the courts to examine a particular dispute (Prytyka, Komarov and Serhij, 2021).

In art. 28 of the CPC, in the 2006 edition, was named "Jurisdiction of the courts", however these provisions encompassed the exclusive general jurisdiction of the courts, because they only listed the civil cases that were to be examined and resolved by the common law courts. The provisions of art. 28 para. (2) CPC stipulated: "Common law courts judge civil cases, with the participation of natural and legal persons, public authorities, regarding the defense of violated or contested rights, liberties and legitimate interests if the defense is not carried out by another judicial means, in special:

- a) the causes in legal disputes arising from civil, family, labor, housing, land, ecological and other legal relations, based on the equality of the parties, on the freedom of contract and on other grounds for the emergence of rights and obligations;
- b) the causes in disputes arising from administrative litigation reports;
- c) reasons in special procedure, specified in art. 279;
- d) the reasons for the claims that are examined in the procedure in the ordinance, specified in art. 345;
- e) the reasons that arise in connection with the execution of acts of courts and acts of other authorities."

Although, from the point of view of the systematization of the legal norms of general jurisdiction, this regulation of the Civil Procedure Code of the Republic of Moldova in the version of the 2006 amendments was a success, the imperfection of these provisions consisted in the fact that no specific framework legal norm was stipulated general competence. In other words, art. 28 CPC only provided for the general competence of the courts, but it was omitted to stipulate the framework legal norm of this legal institution. From the analysis of all the legal texts analyzed above regarding general competence, the framework rule of general competence is: "Courts judge all civil cases for which the law does not provide for the competence of other bodies." But, in art. 28 of the Civil Procedure Code of the Republic of Moldova as amended in 2006, this rule was incomplete, because it referred only to its first part, i.e. only to the jurisdiction of the court.

It is appreciable that by Law no. 155 of 07.05.2012 (Law of the Republic of Moldova, 2012) for the amendment and completion of the Civil Procedure Code of the Republic of Moldova, this rule was incorporated into the legislation of the Republic of Moldova. Thus, according to art. 33 para. (1) The Code of Civil Procedure of the Republic of Moldova (Parliament of the Republic of Moldova, 2003) in the wording currently in force: "Courts judge all civil cases with the participation of natural persons, legal persons and public authorities regarding the defense of violated or disputed rights, freedoms and legitimate interests,

cases for which the law does not provide for the competence of other bodies." So, the last sentence fully complements the framework rule of general jurisdiction, which indicates the possibility of addressing the dispute to other jurisdictional bodies, not only to the court. However, it is also natural that this framework rule is provided by the Code of Civil Procedure, and not by another organic law, because civil procedural law is a branch of common law in which the legal norms that can compensate for the insufficiency of other regulations regarding possibility of offering the appropriate form of defense of legitimate rights and interests.

#### **4. REASONS FOR THE LIQUIDATION OF THE CIRCUMSCRIPT COMMERCIAL COURT AND THEIR RATIONALE**

Another essential change to the regulations regarding general jurisdiction, which was also a controversial topic (Raileanu, 2020) for Moldovan society (Cuza, 2020), is the liquidation of the Economic District Court, later named the Commercial District Court. Initially, their material competence was significantly reduced, after a failed attempt by the Parliament of the Republic of Moldova to liquidate it immediately, which was prevented by the Decision of the Constitutional Court no. 3 of 09.02.2012 for the control of the constitutionality of some provisions of Law no. 163 of July 22, 2011 for the amendment and completion of some legislative acts (Constitutional Court, 2012). The failure in the liquidation of the Economic Circuit Court and other specialized courts in the Republic of Moldova was the unprofessional "sincerity" exhibited by the author of the legislative project in arguing for the abolition of this specialized court. The Constitutional Court has negatively assessed the argument presented in the Informative Note to the draft Law no. 163 of July 22, 2011 for the amendment and completion of some legislative acts, such as: "the liquidation of the specialized courts is required "due to the fact that the specialized courts have demonstrated over time their inefficiency and lack of logical justification", as well as a measure of "fighting corrupt judges»." Thus, by Decision no. 3 of 09.02.2012 the Constitutional Court decided that the provisions of articles III-XV of Law no. 163 of July 22, 2011 for the amendment and completion of some legislative acts are declared unconstitutional.

Although the law by which the Economic Circuit Court and other specialized courts were liquidated was declared unconstitutional, this court being kept under a different name of the Commercial Circuit Court, its general exclusive competence was significantly narrowed, which significantly removed its importance in the system of judicial bodies, which was also one of the reasons for the subsequent merger with the Chisinau Court, which excluded this specialized court from the judicial system of the Republic of Moldova. The exclusive general competence of this specialized court from the Republic of Moldova was significantly reduced by Law no. 29 of 06.03.2012 for the

amendment and completion of some legislative acts (Parliament of the Republic of Moldova, 2012). According to art. 35 of the Civil Procedure Code as amended by Law no. 29 of 06.03.2012, the District Commercial Court judges in first instance:

- a) contesting, under the law, arbitration decisions;
- b) issuance of titles of forced execution of arbitral decisions;
- c) reasons regarding the reorganization or dissolution of legal entities;
- d) the reasons regarding the defense of the professional reputation in the entrepreneurial activity and in the economic activity.

As the jurisdiction of the Commercial Circuit Court was significantly limited, it had a low workload, for only three judges, which was the reason for the termination of this specialized court on April 1, 2017 following the reorganization of the judicial system in the Republic of Moldova based on Law no. 76 of 21.04.2016 (Parliament of the Republic of Moldova, 2016) regarding the reorganization of courts. In this sense, in the Informative Note to the draft Law on the reorganization of the court system (Ministry of Justice of the Republic of Moldova, 2015), it was mentioned that "The specialized economic and military courts were formed within the framework of the judicial and legal reform carried out in 1995-1996, reproducing the respective Soviet structures. The study mentioned above also shows that the District Commercial Court has a low workload, i.e. only for three judges. In accordance with the tendencies of European states to liquidate small courts, as well as according to the recommendations regarding the merging of courts with less than 5, 7 or 9 judges, this court does not justify its existence from the point of view of efficiency and material and procedural law applied". These consequences, possibly premeditated by the legislator, started from that significant limitation of the competence of the District Commercial Court.

It is important to note that in this Information Note the argument that the branch principle should be respected when creating a specialized court was mentioned. Reference was made to international experts with the same vision. Thus, it was mentioned: "Referring to the inclusion of economic courts in the general jurisdiction, the expert of the German Foundation for International Legal Cooperation, Jiirgen Thomas, in his report entitled "Observations regarding the planned inclusion of military and economic courts in the legal jurisdiction common" concluded that the retention of economic courts for the examination and settlement of disputes between legal entities is neither necessary nor opportune. [...] He also emphasized that "the division of jurisdiction into branches of law is less suitable for states with a small population and a low level of activity. In such states, for quality and financial considerations, as well as efficiency, it is recommended to limit the number of judges specialized in branches of law, namely, to general jurisdiction and administrative jurisdiction. For these reasons, in the Republic of Moldova it is not justified to specialize the



courts that must resolve economic disputes, which are of a civil nature, between natural and/or legal persons. " From this argumentation, the opinion of the author of the legislative initiative results that when delimiting the powers of a court of common law, compared to the specialized one, several branches of law coexist, at least encompassing the civil procedure and the administrative procedure (German Foundation for international legal cooperation, 2024).

Finally, under art. 1 paragraph (1) Law no. 76 of 21.04.2016 regarding the reorganization of the courts, the District Commercial Court ceases its activity. In particular, the activity of this specialized commercial court was terminated, because the common law procedure in the Republic of Moldova is not a dual one. In other words, it is not divided into civil procedure and commercial judicial procedure, as for example the Russian Federation in whose legal system there is arbitration procedure and civil procedure which takes the place of general jurisdiction.

## 5. CONCLUSIONS

Starting from the history of the development of the general competence regulations in the Republic of Moldova presented above, which had an interbranch but also experimental character, we find that reforms are still needed that would improve the legal framework of this legal institution.

Constantin Mavrocordat's reforms, starting from the implementation of the principle of separation of powers in the state, had an essential importance in the development of the regulations regarding the general competence in Bessarabia. As the judicial power was defined, the regulations regarding the general competence of the courts and other jurisdictional bodies, as well as the jurisdictional competence, were also essentially defined. The Civil Procedure Code of the R.S.S. Moldovan constituted a legislative act that successfully grouped the rules regarding the general competence of the courts and other jurisdictional bodies. An essential part was taken over in the Civil Procedure Code of the Republic of Moldova from 2003, but in which these concepts have been completely abandoned at the present time.

Significant limitation of the jurisdiction of a court in the Republic of Moldova, as in the case of the District Commercial Court, is one of the most common reasons for the liquidation of a court, which can negatively or positively influence the economic situation in that district. Abolition of this court was also since the common law procedure in the Republic of Moldova is not a dual one. In other words, it is not divided into civil procedure and commercial procedure. At the present time, common law courts also judge commercial cases, but the judges can meet about the knowledge of the legal matter in this field.

## References

- 1) Avornic, Gh. (2009). *General theory of law*. Chisinau: USM.
- 2) Boldur, A. (1929). The autonomy of Bessarabia under Russian rule 1812-1828. Chisinau: Diocese Printing House Romanian Book. pp. 14–106.
- 3) Boryslavska, O. (2016). Judicial Reforms in Eastern Europe: Ensuring the Right to a Fair Trial or an Attack on the Independence of the Judiciary? *Access to Justice in Eastern Europe*, 1(9). pp. 122-142.
- 4) Budă, M. (2020). *Civil procedural law. The general part*. Craiova: Ed. Sitech.
- 5) Chisari-Lungu, O. (2016). The beginning of the process of modernization of national justice. USM.
- 6) Constitutional Court,(2011). *Decision of the Constitutional Court of the Republic of Moldova for the control of the constitutionality of some provisions of Law no. 163 of July 22, 2011 for the amendment and completion of some legislative acts (Report no. 30a/2011): no. 3 of February 09, 2012*. [online] Available at: <https://www.constcourt.md/ccdocs.php?l=ro> [Accessed 22.08.2024].
- 7) Cuza, I. (2020). *Liquidation of the Economic Court – the litmus paper of our duplication*. [online] Available at: <https://vox.publika.md/social/lichidarea-judecatoriei-economice-hartia-de-turnesol-al-dedublarii-noastre-168551.html> [Accessed 22.08.2024].
- 8) Deleanu, I. (2013). *The new Code of Civil Procedure: comments on articles*. București: Universul Juridic, pp. 179-180.
- 9) Gajda-Roszczyńska, K. (2019). Abuse of Procedural Rights in Polish and European Civil Procedure Law and the Notion of Private and Public Interest. *Access to Justice in Eastern Europe*, 2(3), pp. 85-53.
- 10) German Foundation for international legal cooperation (2024). *Observations regarding the planned inclusion of military and economic courts in the legal jurisdiction common*. [online] Available at: <https://international.bonn.de/services/information-for-media/newsroom.php> [Accessed 24.07.2024].
- 11) Ministry of Justice of the Republic of Moldova (2015). *Informative note to the draft Law on the reorganization of the court system*. [online] Available at: [https://www.justice.gov.md/public/files/transparenta\\_in\\_procesul\\_decizional/coordonare/2015/iunie/Nota\\_L\\_reorganizare\\_sistem.pdf](https://www.justice.gov.md/public/files/transparenta_in_procesul_decizional/coordonare/2015/iunie/Nota_L_reorganizare_sistem.pdf) [Accessed 22.08.2024].
- 12) Munteanu, A. (2020). *Arbitration as a body of jurisdiction. The role of democratic institutions in ensuring the protection of fundamental human rights and freedoms*. Chișinău: Academy of Public Administration, pp. 107-109.
- 13) Negru, B. and Cojocaru, V. (1997). *Législative technique: course notes*. Chisinau: USM.
- 14) Parliament of the Republic of Moldova (2003). *Civil Procedure Code of the Republic of Moldova no. 225 of 30.05.2003*. [online] Available at: [https://www.legis.md/cautare/getResults?doc\\_id=110220&lang=ro](https://www.legis.md/cautare/getResults?doc_id=110220&lang=ro) [Accessed 22.08.2024].
- 15) Parliament of the Republic of Moldova (2006). *Law of the Republic of Moldova for the amendment and completion of the Code of Civil Procedure of the Republic of Moldova: no. 244 of July 21, 2006*. [online] Available at:

- [https://www.legis.md/cautare/getResults?doc\\_id=25498&lang=ro](https://www.legis.md/cautare/getResults?doc_id=25498&lang=ro) [Accessed 22.08.2024].
- 16) Parliament of the Republic of Moldova (2011). *Law of the Republic of Moldova for the amendment and completion of some legislative acts: no. 163 of July 22, 2011*. [online] Available at: [https://www.legis.md/cautare/getResults?doc\\_id=23127&lang=ro](https://www.legis.md/cautare/getResults?doc_id=23127&lang=ro) [Accessed 22.08.2024].
  - 17) Parliament of the Republic of Moldova (2012). *Law of the Republic of Moldova for the amendment and completion of the Code of Civil Procedure of the Republic of Moldova: no. 155 of July 5, 2012*. [online] Available at: [https://www.legis.md/cautare/getResults?doc\\_id=22687&lang=ro](https://www.legis.md/cautare/getResults?doc_id=22687&lang=ro) [Accessed 22.08.2024].
  - 18) Parliament of the Republic of Moldova (2012). *Law of the Republic of Moldova for the amendment and completion of some legislative acts: no. 29 of March 6, 2012*. [online] Available at: [https://www.legis.md/cautare/getResults?doc\\_id=22930&lang=ro](https://www.legis.md/cautare/getResults?doc_id=22930&lang=ro) [Accessed 22.08.2024].
  - 19) Parliament of the Republic of Moldova (2016). *Law of the Republic of Moldova regarding the reorganization of courts: no. 76 of April 21, 2016*. [online] Available at: [https://www.legis.md/cautare/getResults?doc\\_id=97419&lang=ro](https://www.legis.md/cautare/getResults?doc_id=97419&lang=ro) [Accessed 22.08.2024].
  - 20) Prytyka, Y., Komarov, V. and Serhij, K. (2021). Reforming the legislation on the international commercial arbitration of Ukraine: realities or myth. *Access to Justice in Eastern Europe*, 3(11), pp. 117-128.
  - 21) Raileanu, D. (2020). *The liquidation of economic courts and the transfer of judges will not solve the problem of corruption, (Truth)*. Radio Free Europe. [online] Available at: <https://moldova.europalibera.org/a/24479459.html> [Accessed 22.08.2024].
  - 22) Shcherbanyuk, O., Gordieiev, V. and Bzova, L. (2019). Legal nature of the principle of legal certainty as a component element of the rule of law. *Tribuna Juridica*, 1(2019), pp. 21-31.
  - 23) Supreme Soviet of the Moldova Soviet Socialist Republic (1964). *Civil Procedure Code of the R.S.S. Moldovan of 26.12.1964 (repealed)*. [online] Available at: [https://www.legis.md/cautare/getResults?doc\\_id=110220&lang=ro](https://www.legis.md/cautare/getResults?doc_id=110220&lang=ro) [Accessed 22.08.2024].
  - 24) Zembrzusk, T. (2019). Extraordinary complaint in civil proceedings under the polish law. *Access to Justice in Eastern Europe*, 1. pp. 31-44.
  - 25) Zoroska, K.T. (2019). Privatization of civil justice: is it undermining or promoting the rule of law? *Access to Justice in Eastern Europe*, 1(6). pp. 34-45.