

SCRISOARE DE INTENȚIE

Obiectul : candidat la postura de judecător constituțional al Curții Constituționale a Republicii Moldova

Având o experiență vastă, atât pe dimensiunea științifică de cercetare a dreptului privat, cât și în dreptului public, fiind avocat licențiat, conferențiar universitar, doctor în drept privat, îmi permit să expun succint intențiile privind oportunitatea avansării la postura de judecător constituțional.

Factorii care m-au determinat să particip la concurs:

În virtutea activității și interesului profesionale am urmărit în de-aproape mecanismul de funcționare Curții Constituționale a Republicii Moldova, atât din perspectiva calității actului constituțional, cât și a prestației individuale a fiecărui judecător în elaborarea calității actului emis de Curte. Doream să mă conving, dacă fiecare din judecătorii constituționali percep esența problemei deduse judecării în contencios constituțional, și dacă aceștea sunt implicați personal în soluționarea fiecărei probleme de drept, rezolvarea cărora se făcea din numele Curții. Cu părere de rău, m-am convins, ca urmare a participării nemijlocite la ședințele Curții sau vizionând transmiterea în direct a ședințelor Plenului Curții, că se lasă la latitudinea judecătorului raportor pregătirea și promovarea unei soluții în numele Curții. Mai ales, acest lucru era evident, când se judecau așa numitele cauze de rezonanță politică.

Consider, că fiecare judecător constituțional urmează să participe nemijlocit la dezbateră și formarea actului constituțional, care se emite în numele Curții, fără a exista în cadrul Curții judecători cu „competențe speciale,” și pentru „cauze de rezonanță politică,„. Vreau să particip nemijlocit și plenar la fiecare chestiune, pusă de lege în competența Curții, purtând pentru aceasta răspunderea juridică pentru eșec și/sau culegând laurii satisfacției profesionale pentru succes.

La fel, îmi doresc să fie promovați în această postură persoane competente, cu gândire juridică liberală și progresistă, și nicidecum, cei închițați în dogmele trecutului nefericit, care au fost în funcții publice și au dezamăgit prin incompetență și părtinitate.

Experiența și cunoștințe în domeniul profesional.

Experiența și cunoștințele acumulate în domeniul profesional le-am indicat în CV, anexat dosarului și consider, că acestea formează în cunul o temelie intelectuală solidă pentru promovarea în această funcție. Nu au fost trecute de către mine în CV, dar consider că sunt o plusvaloare capitolul experiență și competență - energia și capacitatea de muncă de care dispun, abilitățile de comunicare și organizare a noilor proiecte pe domeniul jurisprudenței naționale și internaționale, precum și dăruirea pe care o manifest în aceste scopuri.

Angajamente asumate.

Declar cu certitudine, că voi putea să-mi asum responsabilități profesionale și morale în măsura, care să garanteze buna funcționare a Curții Constituționale a Republicii Moldova, să fie aplicată și respectată Constituția în scopul protejării deopotrivă a intereselor private și publice.

Dorin CIMIL

Chișinău, 08 07 2019

PERSONAL INFORMATION

Dorin Cimilă



WORK EXPERIENCE

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- | | |
|--------------|--|
| 2014–2015 | Trainer
The Notaries Union of the Republic of Moldova, Chişinău (Moldova)
Training courses for notaries. |
| 2014–Present | Lawyer
The "Academic Partnership for Justice" Bar, Chişinău (Moldova)
Co-associate |
| 2013–2014 | Trainer
The "Constantin Stere" University, Chişinău (Moldova)
Training courses for preparation of administrators of insolvency. |
| 2012–2013 | Trainer
The National Institute of Justice, Chişinău (Moldova)
Training courses for judges. |
| 2011–Present | Thesis leader
The Moldova State University, Law Faculty, Department of Private Law, Chişinău (Moldova) |
| 1996–2014 | Lawyer
The "Law Faculty" Bar, Chişinău (Moldova) |
| 1995–Present | Senior lecturer, associate professor
The Moldova State University, Law Faculty, Department of Private Law., Chişinău (Moldova) |

EDUCATION AND TRAINING

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- | | |
|-----------------------|--|
| 02/03/2009–04/05/2009 | Multidisciplinary courses of specialization „Administrator of Insolvency”
Chişinău (Moldova) |
| 01/09/1998–2001 | PhD in Law
Moscow State University named after "M.V. Lomonosov", Civil Law Department, Moscow (Russia) |

1991–1995 License in Law
The Moldova State University, Chişinău (Moldova)

1980–1990 Secondary education
High School no. 2, Cupcini, Edineţ (Moldova)

PERSONAL SKILLS

Mother tongue(s) Română

Foreign language(s)

	UNDERSTANDING		SPEAKING		WRITING
	Listening	Reading	Spoken interaction	Spoken production	
Engleză	B1	B1	B1	B1	B1
Franceză	B2	B2	B2	B2	B2
Rusă	C2	C2	C2	C2	C2

Levels: A1 and A2: Basic user - B1 and B2: Independent user - C1 and C2: Proficient user
Common European Framework of Reference for Languages

Communication skills Excellent skills of interaction in the judicial system. Excellent communication skills with foreign experts and professionals due to studies abroad and fluent knowledge of foreign languages (Russian, French, English).

Organisational / managerial skills Critical thinking, analytical ability, entrepreneurialism, strategic planning, strategic thinking, vision, anticipation, accuracy, logical thinking, persuasion, adaptability, collaboration, emotional intelligence, flexibility, punctuality, time management, goal orientation, division of work, engagement, project/budget management.

Digital skills

SELF-ASSESSMENT				
Information processing	Communication	Content creation	Safety	Problem solving
Proficient user	Proficient user	Independent user	Independent user	Independent user

Digital skills - Self-assessment grid

Driving licence B

ADDITIONAL INFORMATION

- Conferences
- National Scientific Conference (with international participation) "The growing impact of research and the development of innovation capacity", Chişinău, 21-22 september.
 - National Scientific Conference (with international participation) "Academic interferences: integration through research and innovation", Chişinău, 2012.
 - International Scientific Conference "The Civil Code of the Republic of Moldova: 10 years – achievements, perspectives and failures", Chişinău, 19-20 september, 2013.
 - National Scientific Conference (with international participation) in honour of prof. Volcinschi V. "Private law and the development of economic relationships: traditions, actuality and perspectives", Chişinău, 22 april, 2013.
 - International Scientific Conference "The interaction between national and international law: challenges and solutions (in honour of prof. Osmochescu N.)", Chişinău, 14 november, 2015.
 - International Scientific Conference "160 years of legal studies in Iaşi", Iaşi, 23-25 october, 2015.

	<ul style="list-style-type: none"> ■ International Scientific Conference Stoica V. "Difficult aspects of civil law. Personality rights and personal data protection", Bucharest, 20 October, 2017.
Presentations	<p>4 – 6 november 2016 – study visit at the Bucharest State University, Law Faculty; public lecture for Private Law Master students, "The juridical regime of complex civil contracts".</p>
Memberships	<p>Affiliations to international organisations:</p> <ul style="list-style-type: none"> ■ Chairman of the Association "Henri Capitant" of the French legal culture (Moldova Group). ■ Member of the Romanian Association on Comparative, International Private and International Commercial Law Studies (RACIPS). <p>Affiliations to national organisations:</p> <ul style="list-style-type: none"> ■ Member of the Scientific Council of the Civil, Commercial and Administrative College of the Supreme Court of Justice of the Republic of Moldova. ■ Co-associate of the "Academic Partnership for Justice" Bar. ■ Member of the Lawyers Union of the Republic of Moldova.
Honours and awards	<p>20 October 2017 – diploma of participation at the International Scientific Conference Stoica V. "Difficult aspects of civil law. Personality rights and personal data protection", Bucharest;</p> <p>8 – 9 november 2018 – diploma of participation at the National Scientific Conference (with international participation) "Integration through research and innovation", Moldova State University, Chişinău;</p> <p>22 – 23 november 2018 – certificate of scientific communication at the Scientific Conference "Romanian Law in 100 years after the Great Union", Bucharest State University, Law Faculty;</p> <p>22 – 23 november 2018 – certificate of public speaker at the Scientific Conference "Romanian Law in 100 years after the Great Union", Bucharest State University, Law Faculty;</p>
Publications	<p>Monographies</p> <ul style="list-style-type: none"> ■ CIMIL D., <i>The qualification of contractual relationships (monography)</i>, edition of Grafema Libris, Chişinău, 2013. <p>Textbooks and learning materials</p> <ul style="list-style-type: none"> ■ CIMIL D., BEJENARU E., <i>Civil law. Special contracts.</i>, edition of Grafema Libris, Chişinău, 2014. ■ CIMIL D., <i>Civil law. Special part. Schemata, practical cases, tests (themes no. 12, 13, 15, 16, 17)</i>, edition of the Moldova State University, Law Faculty, Department of Private Law, 2013. ■ CIMIL D., <i>Civil law. Special part. Schemata, practical cases, tests (themes no. 12, 13, 15, 16, 17)</i>, 2nd ed. (revised and completed), edition of the Moldova State University, Law Faculty, Department of Private Law, 2015. <p>Articles published in international scientific journals:</p> <ul style="list-style-type: none"> ■ CIMIL D., BOT AL., <i>The reasonable character of the conventional rate in national civil law provisions</i>, Supplement Journal of Legal Studies, 2011. ■ CIMIL D., <i>Preliminary discussions on the juridical regime of complex civil contracts</i>, the Journal of the Bucharest State University, Law Section, 2016, p. 1-13. ■ CIMIL D., <i>Personal data and the liberty of contract</i>, The Romanian Review of Private Law no. 1, Bucharest, 2018. <p>Articles published in national scientific journals:</p> <ul style="list-style-type: none"> ■ CIMIL D., <i>The juridical importance of contract negotiation</i>, Lawyers Union of the Republic of Moldova: the National Law Journal no. 5, Chişinău, 2011. ■ CIMIL D., <i>The precontract</i>, Lawyers Union of the Republic of Moldova: the National Law Journal no. 9, Chişinău, 2011. ■ CIMIL D., BOT AL., <i>The juridical and economic analysis of the conventional rate in loan contracts</i>, Lawyers Union of the Republic of Moldova: the National Law Journal no. 3, Chişinău, 2011. ■ CIMIL D., BOT AL., <i>The juridical valence of the classification of civil contracts</i>, the Scientific Journal of the Moldova State University "Studia Universitatis" no. 3 (43), Chişinău, 2011.

- CIMIL D., *The legal institution of the classification of civil contracts*, Lawyers Union of the Republic of Moldova: the National Law Journal no. 4, Chişinău, 2011.
- CIMIL D., *The opportunity of legal contracts models*, Lawyers Union of the Republic of Moldova: the National Law Journal no. 2, Chişinău, 2012.
- CIMIL D., BOTAL, *The requalification of the lease contract in railroad transport of goods relationships*, The People's Advocate Journal no. 1-2, Chişinău, 2012.
- CIMIL D., *Some reflections on the institution and theory of the civil contract*, Lawyers Union of the Republic of Moldova: the National Law Journal no. 4, Chişinău, 2012.
- CIMIL D., *The criteria of abusive clauses qualification*, The Journal of the National Institute of Justice no. 1, Chişinău, 2013.
- CIMIL D., *The qualification of civil contracts – methods and techniques*, Juridical Studies in honour of prof. Chibac Gh., Moldova State University, Law Faculty, Chişinău, 2013.
- CIMIL D., *The juridical duty to inform*, Lawyers Union of the Republic of Moldova: the National Law Journal no. 3, 4, Chişinău, 2013.
- CIMIL D., RENIŢĂ Gh., *The juridical impact of the litigious retract regulation*, The Journal of the National Institute of Justice no. 4 (35), Chişinău, 2015.
- CIMIL D., *The juridical valence of the classification of civil contracts*, The Journal of the National Institute of Justice no. 7, Chişinău, 2017, p. 52-60.

Articles published in conference proceedings:

- CIMIL D., *The precontract*, Communication presented at the National Scientific Conference (with international participation) "The growing impact of research and the development of innovation capacity", Chişinău, 21-22 september.
- CIMIL D., *The modern interest of contract negotiation*, Communication presented at the National Scientific Conference (with international participation) "The growing impact of research and the development of innovation capacity", Chişinău, 21-22 september.
- CIMIL D., *The ideology and economy of civil contracts*, Communication presented at the National Scientific Conference (with international participation) "Academic interferences: integration through research and innovation", Chişinău, 2012.
- CIMIL D., *The theoretical analysis of the jurisprudence concerning the nullity effects of different contract groups*, Communication presented at the National Scientific Conference (with international participation) "Academic interferences: integration through research and innovation", Chişinău, 2012.
- CIMIL D., *The impact of the jurisprudence on the national civil law development*, Communication presented at the International Scientific Conference "The Civil Code of the Republic of Moldova: 10 years – achievements, perspectives and failures", Chişinău, 19-20 september, 2013.
- CIMIL D., *The right to be informed and the duty to inform in contractual relationships*, Communication presented at the International Scientific Conference "The Civil Code of the Republic of Moldova: 10 years – achievements, perspectives and failures", Chişinău, 19-20 september, 2013.
- CIMIL D., *The criteria of abusive clauses qualification*, Communication presented at the National Scientific Conference (with international participation) in honour of prof. Volcinski V. "Private law and the development of economic relationships: traditions, actuality and perspectives", Chişinău, 22 april, 2013.
- CIMIL D., *Particular deficiencies of civil contracts qualification in the context of European law harmonization*, Communication presented at the International Scientific Conference "The interaction between national and international law: challenges and solutions (in honour of prof. Osmochescu N.)", Chişinău, 14 november, 2015.
- CIMIL D., SAVCIUC R., *The juridical protection of the social right to pension*, Communication presented at the International Scientific Conference "160 years of legal studies in Iaşi", Iaşi, 23-25 october, 2015.
- CIMIL D., *Personal data and the liberty of contract*, Communication presented at the International Scientific Conference Stoica V. "Difficult aspects of civil law. Personality rights and personal data protection", Bucharest, 20 october, 2017.

Articles published on juridical websites:

- CIMIL D., *The theoretical analysis of the jurisprudence concerning the nullity effects of different contract groups*, www.dreptprivat.wordpress.com.

- CIMIL D., *The qualification of civil contracts – methods and techniques*, www.dreptonivat.wordpress.com.
- CIMIL D., *The development of the civil contracts qualification theory*, www.juridice.ro, 26 march, 2014.
- CIMIL D., *Some examples of practical cases concerning lone and credit relationships*, www.juridice.ro, 24 january, 2014.

- Presentations**
- CIMIL D., official referent at the presentation of Bordian M.'s PhD thesis, "*The juridical nature of the contract concerning the supply of electricity to domestic consumers*". Chişinău, 25 june, 2015.
 - CIMIL D., official referent at the presentation of Prisac Al.'s PhD thesis, "*The compensation of civil obligations: legal, theoretical and practical approach*", Chişinău, 12 february, 2016.
 - CIMIL D., public lecture for Private Law Master students, "*The juridical regime of complex civil contracts*", Bucharest State University, 3 november, 2015.

- References**
- 2016-2017 – member of the expert group working on the modernization of the Civil Code of the Republic of Moldova (property and usage rights legal provisions).