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EVALUATION REPORT

approved according to Article 40
of the Rules of Organization and Functioning

DORINA CROITOR

Interim Vice President of Strășeni first level Court
subject of evaluation under Article 3 para. (1) Law No. 252/2023

16 September 2025

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Evaluation Panel C of the Commission (hereinafter the “Commission”) established by Law No. 65/2023 on the External Evaluation of Judges and Candidates for Judges of the Supreme Court of Justice and discharging the powers under Law No. 252/2023 on the external evaluation of judges and prosecutors and amending some normative acts (hereinafter “Law No. 252/2023”) deliberated on the matter on 15 September 2025 and approved the following report on 16 September 2025. The members participating in the approval of the report were:

1. Andrei BIVOL
2. Willem BROUWER
3. Lavly PERLING

The Commission prepared this evaluation report based on its work in collecting and reviewing the information, the subject’s explanations, and its subsequent deliberations.

I. Introduction

1. This report concerns Mrs. Dorina Croitor (hereinafter the “subject”), Interim Vice President of the Strășeni Court.
2. The Commission conducted its evaluation pursuant to Law No. 252/2023 and the Commission’s Rules of Organization and Functioning (hereinafter “Rules”).
3. The Commission concluded that the subject meets the criteria identified in Law No. 252/2023.

II. Subject of the Evaluation

4. The subject holds the position of Interim Vice President of the Strășeni Court.
5. On 26 July 2017, the subject was appointed as Vice President of the Strășeni Court for a period of 4 years. In 2011, the subject was appointed as a judge at the Călărași Court.
6. Between 2006-2008, the subject held the position of prosecutor at the Strășeni Prosecutor’s Office.
7. The subject received a bachelor’s degree in law in 2005 from the Moldova State University.

III. Evaluation Criteria

8. Under Article 11 para. (1) of Law No. 252/2023, the Commission evaluates the subject's ethical and financial integrity.
9. Under Article 11 para. (2), a subject:

"[...] does not meet ethical integrity requirements if the Evaluation Commission has determined that:

 - a) in the last 5 years, he/she seriously violated the rules of ethics and professional conduct of judges, or, as the case may be, prosecutors, as well as if they acted arbitrarily or issued arbitrary acts, over the last 10 years, contrary to the imperative rules of the law, and the European Court of Human Rights had established, before the adoption of the act, that a similar decision was contrary to the European Convention on Human Rights;
 - b) in the last 10 years, has admitted in his/her work incompatibilities and conflicts of interest that affect the office held."
10. Under Article 11 para. (3), a subject:

"[...] does not meet the criterion for financial integrity if the Evaluation Commission has serious doubts determined by the fact that:

 - a) the difference between assets, expenses and income for the last 12 years exceeds 20 average salaries per economy, in the amount set by the Government for the year 2023;
 - b) in the last 10 years, admitted tax irregularities as a result of which the amount of unpaid tax exceeded, in total, 5 average salaries per economy, in the amount set by the Government for the year 2023."
11. The applicable rules of ethics and professional conduct for judges in the relevant period were regulated by the:
 - a. Law No. 544 of 20 July 1995 on the Status of the Judge;
 - b. Law No. 178 of 25 July 2014 on Disciplinary Liability of Judges;
 - c. Judge's Code of Ethics and Professional Conduct No. 8 of 11 September 2015, approved by the Decision of the General Assembly of Judge;
 - d. Judge's Code of Ethics approved by the decision of the Superior Council of Magistracy no. 366/15 of 29 November 2007;
 - e. Guide on the integrity of judges No. 318/16 of 3 July 2018, approved by the Superior Council of Magistracy.

12. The average salary per economy for 2023 was 11,700 MDL. Thus, the threshold of 20 average salaries is 234,000 MDL, and the threshold of five average salaries is 58,500 MDL.
13. Article 11 para. (4) of Law No. 252/2023 allows the Commission to verify various things in evaluating the subject's financial integrity, including payment of taxes, compliance with the legal regime for declaring assets and personal interests, and the origins of the subject's wealth.
14. In evaluating the subject's financial integrity, Article 11 para. (5) of Law No. 252/2023 directs the Commission also to consider the wealth, expenses, and income of close persons, as defined in Law No. 133/2016 on the declaration of wealth and personal interests, as well as of persons referred to in Article 33 paras. (4) and (5) of Law No. 132/2016 on the National Integrity Authority.
15. In assessing a subject's compliance with the ethical and financial integrity criteria, the Commission applies the rules and legal regime that were in effect when the relevant acts occurred.
16. According to Article 11 para. (2) of Law No. 252/2023, a subject shall be deemed not to meet the ethical integrity criterion if the Commission has determined the existence of the situations provided for by that paragraph. Under Article 11 para. (3) of Law No. 252/2023, the Commission determines that a subject does not meet the financial integrity criterion if it establishes serious doubts determined by the facts considered breaches of the evaluation criteria. The Commission cannot apply the term "serious doubts" without considering the accompanying phrase "determined by the fact that". This phrase suggests that the Commission must identify as a "fact" that the specified conduct has occurred.
17. Regarding the standard of "serious doubts" in the context of the vetting exercise, the Constitutional Court noted, concerning its previous decisions, that the definition of standards of proof inevitably involves using flexible texts. The Court also said that the Superior Council of Magistracy can only decide not to promote a subject if the report examined contains "confirming evidence" regarding the non-compliance with the integrity criteria. The word "confirms" suggests a certainty that the subject does not meet the legal criteria. Thus, comparing the wording "serious doubts" with the text "confirming evidence", the Court considered that the former implies a high probability without rising to the level of certainty (Constitutional Court Judgement No. 2 of 16 January 2025, §§ 99, 101).

18. Once the Commission establishes substantiated doubts regarding particular facts that could lead to failure of evaluation, the subject will be given the opportunity to oppose those findings and to submit arguments in defense, as provided by Article 16 para. (1) of Law No. 252/2023. After weighing all the evidence and information gathered during the proceedings, the Commission makes its determination.

IV. Evaluation Procedure

19. On 15 April 2025, the Commission received from the Superior Council of Magistracy, under Article 12 para. (1) of Law No. 252/2023, the list of judges who have exercised the office of President and/or Vice-President of the Judges, including those who have interim these positions for a term of more than one year. The list included the subject as vice president of the Strășeni Court.
20. On 2 May 2025, the Commission notified the subject and requested that she complete and return an ethics questionnaire and the declarations as provided in Article 12 para. (3) of Law No. 252/2023 within 20 days from the date of notification (hereinafter, these declarations are referred to as the “five-year declaration”). The subject returned the completed five-year declaration and questionnaire on 16 May 2025.
21. On 30 May 2025, the Commission notified the subject that her evaluation file had been randomly assigned to Panel A with members Andrei Bivol, Willem Brouwer, and Lavly Perling. She was also informed that subjects may request, in writing and at the earliest possible time, the recusal of members from their evaluation.
22. On 20 August 2025, the Commission notified the subject that the evaluation panel composed of members Andrei Bivol, Willem Brouwer, and Lavly Perling has been renamed Panel C.
23. Because the law sets different evaluation periods for the ethical and financial integrity criteria cited above, the Commission evaluated compliance with these criteria over the past five, ten and twelve years. Due to the end-of-the-year availability of the tax declarations and declarations on wealth and personal interests, the financial criteria evaluation period included 2012-2023 and 2014-2023. The evaluation period for the ethical criterion includes the past five or ten years, calculated backward from the date of the notification.
24. In the last 12 years of the evaluation period, the subject had an obligation to submit declarations, both under Law No. 133/2016 on the Declaration of Wealth and Personal Interests and under Law No. 1264/2002 on the

Declaration and Income and Property Control for persons with positions of Public Dignity, Judges, Prosecutors, Civil Servants, and positions of Management.

25. The Commission sought and obtained information from numerous sources. No source advised the Commission of later developments or any corrections regarding the information provided.
26. The sources asked to provide information on the subject included: the General Prosecutor's Office, the Anti-Corruption Prosecutor's Office, the Prosecutor's Office for Combating Organized Crime and Special Cases, the Ministry of Internal Affairs, the National Anticorruption Center, the National Integrity Authority (hereinafter "NIA"), the State Fiscal Service (hereinafter "SFS"), the National Office of Social Insurance (in Romanian: *Casa Națională de Asigurări Sociale*, hence hereinafter – "CNAS"), the General Inspectorate of Border Police, banks (EuroCreditBank JSC, Eximbank JSC, Moldinconbank JSC, Procredit Bank JSC, Victoriabank JSC, OTP Bank JSC, Banca de Economii JSC), Office for Prevention and Fight Against Money Laundering (in Romanian: *Serviciul Prevenirea și Combaterea Spălării Banilor*, hence hereinafter – "SPCSB"), and the Public Service Agency (hereinafter "PSA").
27. Information was also obtained from other public institutions and private entities, open sources such as social media, and investigative journalism reports. No complaints or information were received from civil society.
28. On 15 July 2025, the Commission asked the subject to provide additional information by 27 July 2025 to clarify certain matters (hereinafter the "first round of questions"). The subject provided answers and documents within the deadline.
29. On 5 September 2025, the Commission notified the subject that, based on the information collected and reviewed, it had not identified in its evaluation any areas of doubt about her compliance with the financial criterion and had not established a non-compliance with the ethical integrity criterion. The subject was sent a written notice of the hearing. The notice stated that if the subject declined to participate, but confirmed the accuracy of the information previously provided, the Commission would, absent any new information or developments, approve a report on passing the evaluation.
30. As provided in Article 39 para. (4) of the Rules, the subject could have requested access to all the materials in her evaluation file at least seven days before the hearing. However, the subject decided not to exercise this right.

31. On 15 September 2025, the Commission held a public hearing. At the hearing, the subject reaffirmed the accuracy of her answers in the five-year declaration and the ethics questionnaire. She also stated that she did not have any corrections or additions to the answers previously provided to the Commission's requests for information.

V. Analysis

32. This section discusses the relevant facts and reasons for the Commission's conclusion.
33. Based on the information it collected, the Commission analyzed and, where necessary, requested further clarifications on the matters which, upon initial review, raised doubts as to compliance with the criteria established by law:
 - a. compliance with the wealth and personal interests declaration regime;
 - b. acquisition of a preferential price apartment.

A. Compliance with the wealth and personal interests declaration regime

34. The Commission found that on 11 September 2018, the subject's husband sold a Toyota Yaris m/y 2008 for 3,800 EUR. This amount was not reported as income in the declaration submitted for the year 2018.
35. The subject explained that this vehicle had indeed been sold on 11 September 2018, based on a power of attorney issued to the buyer to complete the transfer. A few days later, using the proceeds from the sale, the subject's husband purchased a Toyota Auris m/y 2011 for 7,300 EUR.
36. According to the subject, when completing the 2018 declaration, she found that the buyer of the Toyota Yaris had not yet formalized ownership of the vehicle. As a result, the subject's husband continued to appear as the registered owner. In these circumstances, the subject declared both vehicles, the one sold, and the one acquired in 2018.
37. The subject further stated that the amount of 3,800 EUR received from the sale of the Toyota Yaris was not declared as income, since this sum had already been spent on the purchase of the Toyota Auris. In the subject's view, declaring both the 3,800 EUR and the two vehicles would have resulted in a duplication of amounts.
38. The Commission also noted irregularities in subsequent annual declarations. In the declarations for 2021–2024, the subject did not indicate the market value of the Toyota Auris, nor did she provide any justification for

discrepancies between the declared value and the market value (if applicable). In addition, the declaration for 2023 did not specify the interest rate on a bank loan.

39. Regarding the first situation concerning the non-declaration of the amount of 3,800 EUR from the sale of the Toyota Yaris, this occurred more than five years ago, outside the time limit prescribed by the ethical criterion. Moreover, the Commission considers the subject's explanations to be reasonable. The assessment of the circumstances does not indicate any intention to conceal this amount, particularly as the subject declared the asset that had already been sold.
40. As to the other declaration irregularities, the Commission concludes that they do not reach a level of seriousness sufficient to establish a breach of the ethical standards set out in Article 11 para. (2) lit. a) of Law No. 252/2023.

B. Acquisition of a preferential price apartment

41. On 1 November 2017, the subject applied to the Superior Council of Magistracy, requesting her inclusion in the list of persons benefiting from apartments at preferential prices. The subject's request was accepted on 7 July 2021.
42. On 10 August 2021, the subject concluded a sale-purchase agreement with the real estate company for an apartment at a preferential price.
43. During the first round of questions, the subject was asked about the necessity of purchasing this apartment at a preferential price, given that her workplace and residence are in Strășeni, and her husband owns a house over there.
44. The subject explained that, at the time of submitting the application, one of the eligibility conditions was that the applicant should not own any residential property in the Chișinău municipality. Neither the subject nor her husband owned any property in Chișinău at that time.
45. The subject further noted that her husband had built the house in Strășeni before the marriage and, therefore, it belongs solely to him. She wished to own immovable property in her own name. In addition, the subject mentioned that she aspired to a position at a higher-level court in Chișinău.
46. The Commission concludes that, at the time of application, the subject met all the eligibility criteria for judges, set out in the Decision of the SCM's Working group No. 5/4 of 12 December 2017, namely: at the time of filing the application, the judge works in the judicial system, they do not have housing space in Chisinau municipality and have not previously benefited from preferential price apartments granted to employees of the judiciary.

47. Considering the above, the Commission finds that the subject's actions do not raise doubts about the compliance with the ethical criteria as established by Article 11 para. (2) lit. a) of Law No. 252/2023.

VI. Conclusion

48. Based on the information it obtained and the subject's explanations, the Commission proposes that the subject promote the external evaluation made according to the criteria set in Article 11 of Law No. 252/2023.

VII. Further action and publication

49. As provided in Article 40 para. (4) of the Rules, this evaluation report will be sent by e-mail to the subject and the Superior Council of Magistracy. The Commission will publish the evaluation result on its official website on the same day.
50. No later than three days after the approval, a printed paper copy of the electronically signed report will be submitted to the Superior Council of Magistracy, along with the original electronic copy of the evaluation file containing all the evaluation materials gathered by the Commission.
51. This report will be published on the Commission's official website, with appropriate precautions to protect the privacy of the subject and other persons, within three days after the expiry of the appeal period against the decision of the Superior Council of Magistracy or after the Supreme Court of Justice issues its decision rejecting the appeal or ordering the promotion or non-promotion of the evaluation.
52. This evaluation report was approved by a unanimous vote of the Panel members on 16 September 2025 and signed pursuant to Articles 33 para. (2) and 40 para. (5) of the Rules
53. Done in English and Romanian.

Andrei Bivol

Vice-chairperson of the Commission

Chair of Panel C