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RE-EVALUATION REPORT

approved according to Article 41
of the Rules of Organization and Functioning

ANGELA BOSTAN

judge of the Central Court of Appeal

subject of evaluation under Article 3 para. (1) Law No. 252/2023

7 October 2025

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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 re-evaluation report on 7 October 2025. The members participating in the approval of the report were:

1. Scott BALES
2. Andrei BIVOL
3. Willem BROUWER
4. Lilian ENCIU
5. Iurie GATCAN
6. Lavly PERLING
7. Iulian RUSU
8. Gerrit-Marc SPRENGER
9. Marcel van de WETERING

The Commission prepared this re-evaluation report which is confined to the matters referred to by the Superior Council of Magistracy and shall be examined only in conjunction with the initial evaluation report.

I. Introduction

1. On 2 April 2025, the Commission approved the report concerning Mrs. Angela Bostan (hereinafter the “subject”) under Law No. 252/2023. It proposed that the subject promotes the external evaluation made according to the criteria set in Article 11 of Law No. 252/2023 (hereinafter the “initial evaluation report”).
2. On 22 May 2025, the Superior Council of Magistracy (hereinafter the „SCM”), by decision No. 237/21, rejected the report and directed the Commission to resume the evaluation procedure (hereinafter the “SCM’s decision”).
3. The Commission conducted its resumed evaluation pursuant to Law No. 252/2023 and the Commission’s Rules of Organization and Functioning (hereinafter the “Rules”).
4. Following the re-evaluation, the Commission concluded that the subject meets the criteria identified in Law No. 252/2023 for ethical and financial integrity as no serious doubts determined by facts have been found as to the subject’s compliance with these criteria.

II. Grounds for the resumed evaluation

5. Under Article 18 para. (3) lit. b) of Law No. 252/2023:

„(3) By reasoned decision, adopted no later than 30 days after receipt of the documents referred to in Article 17 para. (6), the Superior Council of Magistracy shall: [...] b) reject the evaluation report and order, once only, that the evaluation procedure of the judge be reopened if it finds factual circumstances or procedural errors which could have led to the passing or, as the case may be, the failure to pass the evaluation.”

6. Under Article 20 para. (2) and (3) of Law No. 252/2023:

„(2) When the evaluation procedure is reopened, the Evaluation Commission shall examine the matters referred to it by the respective council or, as the case may be, by the Supreme Court of Justice, as well as additional information which for objective reasons could not be presented previously, and if the subject of the evaluation agrees, shall hold repeated hearings. The agreement or, as the case may be, its absence shall be communicated to the Evaluation Commission within 3 working days from the request of the Evaluation Commission.

(3) The report on the judge's re-evaluation shall be approved by the Evaluation Commission in accordance with the rules laid down in Article 17.”

7. The initial evaluation report identified four matters that, upon initial review, raised doubts as to compliance with both ethical and financial criteria established by law.
8. The SCM concurred with the Commission's determination on the matters concerning the potential violation of the regime of incompatibilities; the potential ethical breach related to the decisions issued by the subject; and the involvement in cases leading to violations of the European Convention on Human Rights. It, however, disagreed with the determination on the matter concerning the potential difference between assets, expenses, and income (inexplicable wealth) for 2015, 2016, 2018, 2020, and 2021.
9. In doing so, the SCM did not identify the specific factual circumstances or procedural errors that could have led to the non-promotion of the evaluation. In the SCM's view, further analysis of the factual circumstances described in its decision at paragraphs 3.8.1, 3.8.3, 3.8.4 and 3.8.5 would be required (§ 3.9 of the SCM's decision).

III. Resumed evaluation procedure

10. On 28 May 2025, the Commission received the SCM's decision. The SCM did not send any additional information or documents.

11. On 24 June 2025, the Commission asked the subject to provide additional information by 6 July 2025 to clarify certain matters (hereinafter the “first round of questions”). The subject provided answers and documents within the deadline.
12. During the resumed evaluation, two petitions were received from individuals. These petitions did not address the aspects mentioned in the SCM’s decision, but rather reflected dissatisfaction with the subject’s decisions in court, without evidencing any ethical breaches. The petitioners did not argue what objective circumstances prevented them from submitting the petitions in the initial evaluation, as required by Article 20 para. (2) of Law 252. The petitions were therefore not analyzed but only included in the evaluation file.
13. On 5 September 2025, the Commission notified the subject that it intended to discuss the matters referred to in the SCM’s decision at a public hearing on 15 September 2025.
14. As provided in Article 41 para. (4) of the Rules, the subject could have requested access to all the materials in her re-evaluation and initial evaluation file. However, the subject decided not to exercise this right.
15. On 15 September 2025, the Commission held a public hearing. At the hearing, the subject stated that she did not have any corrections or additions to the answers previously provided to the Commission’s requests for information.
16. After the hearing on 16 September 2025 and 18 September 2025, the subject submitted additional documents. The Commission included them in the re-evaluation file and considered them in its analysis.

IV. Analysis in the resumed evaluation

17. The Commission analyzed and requested further clarifications on the matters from the initial evaluation report and on the matters to which a disagreement is noted in the SCM’s decision:
 - a. The acquisition of the vehicle model Honda CRV m/y 2009;
 - b. The acquisition of the vehicle model Lexus NX200T m/y 2014;
 - c. Possible contradictions with the Supreme Court decision of 15 July 2024 (Bostan v. Pre-Vetting Commission);
 - d. A potential conflict of interest with M.U.

A. Acquisition of the vehicle model Honda CRV m/y 2009

Commission’s findings (initial evaluation report, §§ 103-107)

18. According to the Commission's calculations, the subject would have had 156,490 MDL at her disposal on 3 February 2015 when the vehicle Honda CR-V m/y 2009 was acquired. The total expenses for the acquisition, however, amounted to 177,772 MDL (175,000 MDL purchase price and 2,772 MDL in ancillary payments).
19. According to point 3.1 of Annex 1 to the Rules, the fiscal year is the implicit period for calculating inexplicable wealth. However, the period may be shortened in the event of certain irregularities throughout the calendar year. Accordingly, the lack of funds for expenses incurred through 3 February 2015 may also amount to a difference between wealth, expenses, and income within the meaning of Article 11 para. (3) lit. (a) of Law 252/2023.
20. The Commission considered the subject's argument that she could have taken small loans from colleagues or close persons to cover the above difference.
21. The Commission noted that, even if the identified potential deficit of 21,282 MDL for the purchase of the car in February 2015 were to be considered inexplicable wealth, the subject's total negative balance would not exceed the threshold of 234,000 MDL.

SCM findings (SCM's decision, § 3.8.2.)

22. The SCM noted that, in the absence of any identified lenders, the subject's explanation is insufficient to remove doubts about the origin of the funds. The SCM emphasized that any such claim regarding the existence of these loans should be supported by evidence (such as contracts, receipts, bank statements).

Subject's explanations in the resumed evaluation

23. The Commission asked the subject to identify the people from whom she had borrowed money in the past, the occasions on which she had borrowed, the amounts borrowed, and how frequently she had borrowed. She was also asked why she had only disclosed these short-term loans during the third round of questions during the initial evaluation, despite information on loans being requested in the first round.
24. In the first round of questions (Question 1), the subject stated that she used to borrow money from people she knew well (*persoane apropiate*) and who she knew were financially able to lend her money. She emphasized that she only borrowed when she urgently needed a specific amount of money. The subject listed two individuals, M.V. and E.G., who signed declarations. The subject provided their contact information. She stated that she would repay the loans,

especially in the summer when her vacation days were calculated and paid. The subject also mentioned that she resorted to preemptive alimony from the father of her child, a possibility that the Commission dismissed due to the lack of funds available to him (initial evaluation report, § 69).

25. The subject also mentioned regularly taking loans ranging from 3,000 MDL to 25,000 MDL starting from 2008/2010. These loans were related to repairs at her residence in Hîncești and the purchase of household appliances such as a gas boiler, washing machine, dishwasher, and TV. She also mentioned that she booked vacations with these funds. She would repay these loans with her own income over a period of two to six months in the same year. For this reason, she did not report them to the National Integrity Commission (hereinafter "NIC"). She does not remember the exact amounts and dates because she did not issue receipts. The relationships with the people from whom she borrowed money were based on trust. The subject did not refer to these loans during the first round of questions in the initial evaluation to avoid providing erroneous data.
26. Regarding the purchase of the Honda CR-V m/y 2009, the subject stated that more than ten years have passed, so she is not able to provide concrete and accurate information in response to questions.
27. According to the subject, all arrangements for purchasing the vehicle occurred unexpectedly and urgently in January and February of 2015, when she learned that she had been temporarily transferred to the Comrat Court of Appeal. She needed to find a way to travel to Comrat, a town located about 70 km away from Hîncești, since there was no regular transportation service on the Hîncești-Comrat route.
28. Apart from the bank loan of 100,000 MDL and available cash, the subject stated that:

"the remaining amount (about 15,000-20,000 MDL) was possibly supplemented in two ways, most likely from I.I. [subject's child father] - as an advance payment for support of his son, or from M.V. in January-February of 2015. More precisely [she] cannot indicate."
29. To support the above statements regarding the occasional loans, the subject submitted written declarations signed by E.G. (dated 4 February 2025) and M.V. (dated 5 July 2025). These individuals confirmed that they were close acquaintances of the subject. However, none of them specified the purpose of the loans. M.V. stated he has known the subject for more than 30 years and is the godfather (*naș de cununie*) of her brother. The subject provided a document

from the State Fiscal Service (hereinafter “SFS”) dated September 2020 regarding E.G.’s official income from 2010 to 2019.

30. In the hearing before the Commission, the subject reiterated her answers during the first round of questions.

Commission’s assessment

31. The Commission finds that the subject’s statements regarding the purpose of acquiring the vehicle are corroborated by objective circumstances. The subject served as a judge at the Hîncești Court before being promoted to Chișinău Court of Appeal in February 2015. To ensure the proper functioning of the Comrat Court of Appeal, and since the subject had not yet been assigned any cases at the Chișinău Court of Appeal, on 10 February 2015, the SCM temporarily transferred the subject to the Comrat Court of Appeal for a period of six months.
32. The Commission notes that the subject identified the possible lenders and provided additional evidence: written declarations from two lenders. This evidence was not presented in the initial evaluation.
33. In fact, when asked in the first round of questions of the initial evaluation (Question 5 lit.c), the subject stated that neither she nor her child had taken loans from individuals. The subject disclosed the short-term loans only in the third round of questions during the initial evaluation when confronted with a financial misbalance.
34. The Commission will further analyze the probability of short-term loans being used to acquire the Honda vehicle under two aspects: 1) whether there was a legal obligation to declare loans paid during the same year to the NIC, and 2) the subject’s failure to disclose this information to the Commission in the first round of questions during the initial evaluation.
35. The Commission acknowledges that the passage of time (more than ten years) makes it more difficult for the subject to identify records of the transactions. This could explain the subject’s imprecise answer, which is based only on what she remembers. However, it is unclear why the subject denied taking loans in the initial evaluation, and when confronted with the inexplicable wealth, she changed her declaration.
36. With reference to the subject’s explanations regarding the failure to declare to NIC the short-term loans of the amounts and conditions specified at § 25 above, the Commission notes that the subject’s interpretation of the law,

namely that the debts repaid during the same year did not have to be declared, may be reasonable given the applicable law at that time¹.

37. The subject had two occasions to disclose the short-term loans: first in her 2014 annual declaration, and again in her 2015 annual declaration to NIC. According to her declarations from 2012 to 2015, the reporting period indicated by the subject covered the period of the calendar year.²
38. First, Law No. 1264/2002 - applicable on 23 February 2015 (20 days after acquisition of the vehicle), when the subject submitted her 2014 annual declaration to NIC - did not stipulate that loans must be declared if they exist at the time of filing the declaration. Article 4 para. (1) lit. a) of that reading of the law provided that the revenue shall be declared for the “declaration period (*perioada de declarare*)”.
39. The declaration form as approved by the annex to the law, asked subjects to declare when the “declaration period” started and ended. Then, in Section VI. Debts (*Datorii*), the form asked subjects to declare the “Debts (including unpaid taxes), mortgages, guarantees issued for the benefit of third parties, loans and credits, including credit cards”.
40. The applicable Instructions for filling in the declarations of income and property, as approved by Annex 1 to the NIC Order No. 5 dated 8 February 2013, also did not clarify whether the unpaid debts (loans taken) should have been declared as of the submission date of the declaration.
41. The above is contrary to the provisions of Article 6 para. (1) of Law No. 133/2016, in force since 1st August 2016, which expressly requires the declaration of unpaid loans as of the submission date of the declaration. The declaration form, as approved by the annex to the Law No. 133/2016, which replaced the old law (No. 1264/2002), stipulated that only “unpaid debts” must be declared. This clear obligation also resulted from the later-enacted applicable Instructions on filling in the declaration of wealth, as approved by the Annex to NIA Order No. 2 dated 13 January 2017.
42. Second, on 22 March 2016, when the subject submitted her 2015 annual declaration to NIC, neither the applicable law, with the declaration form as approved by the annex to the law, nor the applicable Instructions for filling in

¹ Honda acquisition – on 3 February 2015.

2014 NIC Declaration was signed by the subject on 23 February 2015.

2015 NIC Declaration was signed by the subject on 22 March 2016.

² 1 January 2014 - 31 December 2014 – period indicated in 2014 NIC Declaration.

1 January 2015 - 31 December 2015 – period indicated in 2015 NIC Declaration.

the declarations of income and property, provided clearly that repaid loans need not be declared. At the same time, Section 12 lit. c) of the Instructions for filling in the declarations of income and property (NIC Order No. 5 dated 8 February 2013) suggested that one should include the loan maturity date in the annual declaration ("*Due on*" indicates the date on which the debt must be paid). In other words, if there is no maturity, there is no obligation to declare the loan.

43. In conclusion, although the subject did not have a clear obligation to declare the loans in the 2014 or 2015 annual declarations, because she changed her answers regarding these loans after submitting her initial declaration in her evaluation, she has not removed the Commission's doubts regarding the loans. As the Supreme Court has recognized, inconsistencies and incoherent explanations may undermine the credibility of the subject of evaluation (see, e.g., Supreme Court Decision of 9 January 2024 in *Gheorghe Graur v. Pre-Vetting Commission*).
44. However, even if the identified deficit of 21,282 MDL for the acquisition of the vehicle in February 2015 is considered inexplicable wealth, the subject's total negative balance would not exceed the threshold of 234,000 MDL. This is noted in § 107 of the initial evaluation report.

B. Acquisition of the vehicle model Lexus NX200T m/y 2014

Commission's findings (initial evaluation report, §§ 108-118)

45. According to the Commission's calculations, the subject purchased the vehicle Lexus NX200T m/y 2014 on 2 September 2020 for 250,000 MDL. The subject incurred additional repair expenses on 12 September 2020. She declared that only 80,000 MDL was paid on 2 September 2020, and that the remaining amount of approximately 170,000 MDL was paid following the sale of the vehicle Honda CR-V, which was finalized on 16 October 2020.
46. The total expenses for the acquisition of the vehicle thus amounted to 250,000 MDL. A cash shortfall of approximately 121,717 MDL was identified at the time of the acquisition.
47. In support of her statements, the subject submitted written statements from the former owner of the Lexus, a repair receipt dated after the Lexus sale, and written statements from the person who repaired the vehicle, the same person who managed the sale of the Honda CR-V.
48. The Commission considered the written statements mentioned above and the subject's explanation that the Lexus was fully paid for only after the Honda

was sold, although the sales-purchase contract of 2 September 2020 included the standard statement for such agreements: "the seller transmitted the vehicle to the buyer's possession, and the buyer received this vehicle and provided payment". The Commission noted that this transaction appeared to have been structured around good-faith negotiations and mutual understanding, in accordance with the principle of freedom of contract.

SCM findings (SCM's decision, § 3.8.2.)

49. The SCM considered the declarations to be subjective and insufficient. It noted that no written documentation confirming deferred payment was presented. The SCM also criticized the Commission for allegedly formulating justifications in the subject's favor.

Subject's explanations in the resumed evaluation

50. In the first round of questions (Question 2), the subject relayed much of what was already explained in rounds of questions during the initial evaluation, but provided, for the first time, a document attesting to the power of attorney granted to D.R. by V.B. (seller of the Lexus). The document was dated 3 January 2020 and valid for one year but did not relate to the sale of the Lexus.
51. When asked to explain why the vehicle was purchased with an installment payment plan despite the absence of a written agreement between her and the seller, V.B., the subject said the transaction was made by mutual agreement.
52. Regarding the collection of the outstanding amount, the subject stated that it was done through D.R., who acted based on the power of attorney from V.B.. The power of attorney, also mentioned at § 50 above, authorized D.R. to purchase and transport an unidentified vehicle from the USA to Moldova.
53. Regarding the reason the seller chose to accept the deferred payment for this vehicle without the necessary legal guarantees, the subject stated they acted based on good faith and mutual trust. In her statements, she explained that:

"At the time of signing the sale-purchase contract for the Lexus, the Honda CR-V model automobile was transferred to D.R. for sale. This was also a way of ensuring that the outstanding price for the Lexus would be covered immediately upon selling the Honda".

54. The subject acknowledged that she acted with less diligence in documenting this transaction.
55. The subject provided an additional notarized declaration dated 3 July 2025 from D.R., who offered the subject logistical support for the sale of the Honda. D.R. stated that he was authorized by the Lexus owner and also his godson

(*fin*), V.B., to sell the Lexus. According to D.R.'s statements, the Lexus owner urgently left for work in Ireland in August 2020 and signed the purchase agreement with the subject beforehand. D.R. was to receive the outstanding amount for the Lexus at the time of the sale of the Honda. His statements regarding the Lexus payments are as follows:

"[...] we agreed with Ms. A. B. on the intention to purchase the vehicle [Lexus], contingent upon the sale of Honda CRV. During the discussions, we agreed that she would make a down payment upon signing the contract and pay the rest of the Lexus's price upon selling the Honda."

56. D.R. confirmed the sale price of the Lexus as 250,000 MDL and the down payment as 80,000-100,000 MDL.
57. The subject also submitted notarized declarations dated 3 July 2025 from the buyer of the Honda – N.L. and the buyer's son-in-law (*ginere*) – D.G.. They both mentioned that D.R. arranged the purchase of the Honda, including the test drive. They confirmed that they were present when the subject handed the final payment to D.R.. From their understanding of the conversation, the money was given to pay for the Lexus.
58. In the hearing before the Commission, the subject explained that the Lexus was fit for use although it had cosmetic defects requiring repairs. She took possession immediately after the sale-purchase contract was completed. Subsequently, she handed the vehicle over for repairs. The subject emphasized that the vehicle liability insurance contract was concluded as soon as possible after signing the contract, as this is a legal obligation.
59. In the context of the alleged installment payments agreed with the Lexus seller, the Commission asked the subject whether she could provide documents or information regarding the Lexus seller's departure from Moldova. The subject said that she had contacted the seller to clarify the situation. According to her, the seller and his family came to Moldova after he lost his job during the pandemic. While in Moldova, he was contacted by his former employer in Ireland, who offered him his job back. This resulted in the Lexus being put up for sale. At the same time, he arranged his departure to Ireland, a process that took some time and was coordinated with his employer. The subject stated that the Lexus seller had certainly returned to Ireland, where he continues to work.
60. The subject said that she and the seller had anticipated the sale of the Lexus based on the seller's determination to depart for Ireland and his desire not to

leave the sale of the vehicle to the last minute. Additionally, the seller did not know his exact departure date, nor did she know when the Honda buyer would appear.

61. Concerning the power of attorney signed by the owner of the Lexus, the subject explained that it was not intended to identify D.R.'s specific authority, but rather to show the relationship of trust D.R. had with the owner of the vehicle.
62. The subject stated that selling a vehicle on the condition that another one would be purchased was a special situation. She acted in good faith, as she was unaware of the requirements to which she would be subject during the vetting process. She said that she had learned from that situation and had recently put that learning into practice when selling the Lexus and buying a new vehicle. The subject provided copies of the sale-purchase contract and the final installment payment receipt related to this new vehicle.

Commission's assessment

63. The key issue lies in SCM's apparent rejection of the subject's explanation that a significant portion of the price was paid following the sale of a previous vehicle. The SCM noted that the sale-purchase contract for the Lexus allegedly contains a "standard clause of full payment" or that "the clause certifies full payment."
64. The Commission notes, however, that the sale-purchase contract in question is a template provided by the Public Services Agency (PSA) to all individuals seeking vehicle registration. It did not include specific provisions regarding the method or timing of payment. The template references generically to a provision of the Civil Code stipulating the basic obligations of the parties in a sale-purchase agreement. In fact, the Civil Code articles referred to in the PSA template were no longer in force when the contract was concluded.
65. The Commission further notes that the subject's statements on this matter and the additionally submitted written declarations align with those from the initial evaluation. Throughout this process, the subject has relied on the declarations of all parties involved (declaration signed by V.B.; declaration signed by D.R.; notarized declaration signed by D.R.; notarized declaration signed by N.L. – the buyer of the Honda CRV – and a notarized declaration signed by D.G. – the son-in-law of the Honda CR-V buyer), a document attesting to power of attorney that suggests a trusting relationship rather having direct link to the sale of this vehicle and some consistent circumstances.

These circumstances are the Lexus being repaired by the person that mediated the subject's acquisition of this vehicle and the sale of the Honda CR-V.

66. As regards the power of attorney dated 3 January 2020, the Commission notes that this document only authorized D.R. to purchase and transport an unidentified vehicle from the USA to Moldova. V.B. acquired this Lexus vehicle on 14 May 2020. A day earlier, V.B. registered his acquisition of a different vehicle. The document in question only authorized D.R. to mediate the acquisition of a single vehicle, not multiple vehicles, in V.B.'s name. Whether or not the document empowered D.R. to purchase the Lexus, it did not authorize him to sell a Lexus to the subject.
67. At the same time, the Commission notes that the question to be determined is not whether D.R. had the mandate to sell the Lexus, but whether there are documents proving the installment payment, specifically the transfer of money from the sale of the Honda to the former owner of the Lexus.
68. On this point, the Commission accepts the subject's explanations regarding the trust relationship that the power of attorney may reflect, apart from a concrete mandate to act on behalf of the person who delivered the document.
69. The Commission questioned the subject in the hearing about Lexus's former owner, V.B., being abroad when the Lexus was sold. According to information available to the Commission, V.B. last crossed national borders to enter the Republic of Moldova following a flight from London, UK, on 15 August 2020. Following this date, the Commission did not identify any border crossings by V.B. As noted in § 59 above, the subject stated that V.B. has certainly left the country.
70. V.B.'s possible presence in Moldova contradicts the subject's account of the events related to the final payment for the Lexus. However, it does not totally invalidate the subject's explanation regarding the payment in installments related to the seller's uncertain departure date (see § 60), which would cover the cash shortfall of approximately 121,717 MDL. She explained that the main reason for the deferred payment was not having the money available, rather than V.B.'s exit from the country.
71. In light of the above, and the additional evidence and clarifications provided, the Commission reaffirms the conclusion of the initial evaluation report regarding the Lexus installment payments.

C. Possible contradictions with the Supreme Court decision of 15 July 2024

Commission's findings (initial evaluation report, §§ 71-102)

72. On 2 October 2018, the subject's mother registered ownership over an apartment on Lev Tolstoy Street. According to the sale-purchase contract dated 8 August 2018, the apartment was acquired for 973,500 MDL. The subject's mother also acquired non-residential property of approximately five sq. m. at the same address (deposit annexed to the apartment) for 30,266 MDL. Accordingly, in August 2018, the subject's mother would have expended at least 1,003,766 MDL.
73. According to the subject's 2021 – 2023 annual declarations, she has had habitation rights at this apartment since 2021. The subject confirmed she has resided in this apartment for significant periods since its acquisition, stating that she was caring for her elderly mother. The subject stated that, in purchasing this apartment, her mother contributed about 11,000-12,000 EUR, her brother contributed about 30,000 EUR, and her aunt contributed about 9,000-10,000 USD.
74. The Commission found that the subject's mother, aided by international transfers from the subject's aunt and brother since 2013, could have contributed approximately 12,000 EUR to the purchase of this apartment, and that her brother could have contributed 30,000 EUR. However, the Commission found no evidence that the subject's aunt contributed anything more beyond the documented receipt of 6,800 EUR and 500 USD, already reflected as savings in the mother's contribution of 12,000 EUR. Accordingly, the Commission found it possible that the remaining 8,000 EUR were attributed by the subject as the only possible source.
75. To conclude so, the Commission expressly stated in the initial evaluation report that, one day before the hearing held on 17 February 2025, the subject submitted a bank statement issued by an Italian bank covering the last ten years, along with evidence of her brother's cross-border movement (Chişinău–Bologna, 4 to 11 February 2025). The bank statement does not contain an issuance date. However, according to the subject, her brother was unable to obtain the bank statement earlier because he was in the Republic of Moldova and had traveled to Italy specifically to obtain this document. That evidence was considered sufficient to confirm the subject's brother's financial ability to fund the apartment purchase.

SCM findings (SCM's decision, § 3.8.4.)

76. The SCM referenced several excerpts from the Supreme Court of Justice decision in *Bostan v. Pre-Vetting Commission*, 15 July 2024, highlighting an alleged inconsistency in the Commission's approach. In particular, the following excerpts are cited:

“The doubts of the [pre-vetting] Evaluation Commission arose from the question of who was in fact the owner of the apartment in Chişinău, in circumstances where there was no evidence that the candidate’s mother had sufficient financial means to purchase the apartment.”

“In these circumstances, the Court finds that the candidate Angela Bostan failed to provide plausible arguments or relevant evidence, either before the Evaluation Commission or during the court hearing, to dispel the doubts regarding her brother’s financial contribution to the apartment purchase.”

Subject’s explanations in the resumed evaluation

77. In the first round of questions (Question 3), the subject denied contributing to the purchase of her mother's apartment on Lev Tolstoy Street on 8 August 2018. She reiterated that the apartment was purchased with a 30,000 EUR contribution from her brother. The remaining amount (approximately 20,000 EUR) was covered by her mother's savings and donations made by her aunt for her mother’s benefit.
78. The subject stated that she was unable to present the bank statement about her brother’s contribution, issued by an Italian bank, during the Pre-Vetting Commission’s evaluation and during the rounds of questions in the initial evaluation. She stated that her brother works as a driver and was not in the town where he opened his bank account. Only after she insisted, her brother went to the bank branch where he had his account and requested the statement.
79. The subject emphasized also that her mother had enough money to cover the expenses of purchasing the apartment. To support this claim, she presented five written statements from her mother’s neighbors in Cărpineni village and people from nearby villages (dated 2 July, 3 July and 4 July 2025). They stated that her mother worked as a merchant in the local market (selling clothes, shoes, bed linen, blankets) from 2010-2013.
80. One of these individuals, V.M., declared that she contracted three or four loans of 3,000 EUR - 5,000 EUR (seemingly the full amount) at a 2% monthly interest rate from the subject’s mother between 2009 and 2013. The repayment period was three to ten months. She stated that these were contracted to finance the construction and repair of her home. She said also they did not keep the receipts as they were not necessary. Neither the subject nor the third person indicates the estimated amount that could have been earned from the interest on the loans granted by the mother.
81. In the hearing before the Commission, the subject reiterated her answers during the first round of questions.

Commission's assessment

82. Regarding the 8,000 EUR (around 166,000 MDL), which the initial evaluation report established as possible inexplicable wealth, the subject stated these were her mother's savings obtained from commercial activity at a village market and from her mother's sister. Accordingly, no new source or solid proof was provided, and the Commission's doubts regarding such savings stemming from her receipt of financial assistance from abroad were unaddressed.
83. Concerning the mother's contribution, the Commission considered in the initial evaluation report that the subject's mother's activities at the local village market most likely could not have contributed significantly to the apartment purchase in 2018. The Commission could not identify any entrepreneurial patents in the subject's mother's name that were valid within the evaluation period. No significant bank deposits or other ancillary evidence have been produced (§§ 78-80). In addition, the Commission concluded that, including all provable receipts of funds from the mother's son and sister, the subject's mother could have had at her disposal no more than 233,243 MDL (12,172 EUR) in August 2018 (§ 85).
84. In contrast to the initial evaluation procedure, during the re-evaluation, the subject provided written declarations from her mother's neighbors and people from nearby villages.
85. The alleged income from the mother's commercial activities has not been supported by any tax or entrepreneurial documents. The written declarations signed by the subject's mother's co-villagers described her activity at the local market. Neither the third persons nor the subject provided estimates of monthly or annual income, the estimated market price of products sold, or the local market tax.
86. While the subject presented a series of written declarations, these do not prove a certain amount of funds from her mother's activity at the local market. The one set of documents that is relevant is the notarized declaration of loans provided by the mother to a third party, V.M. (dated 3 July 2025).
87. On its own, establishing that the mother provided these loans would not necessarily support the hypothesis that she had other, previously unknown savings because the Commission's initial assessment already established approximately 65,000 MDL as plausible savings available to the subject's mother at the end of 2013 (approximately 4,000 EUR per the average exchange

rate of 2012/2013). That is at the end of the period during which V.M. contracted loans from the subject's mother (2009-2013).

88. The Commission explored the plausibility of these loans. According to the SFS, V.M. had a total net income of 145,721 MDL in the period 2009-2013. In the same period, the rural Consumption Expenditures per Population (the debtor was officially resident in Lapușna Commune in this period) for one person amounted to 85,448 MDL. Accordingly, V.M. had only around 60,000 MDL in disposable income in the relevant period.
89. According to the Registry of immovable assets, in 2009 and 2010, V.M. purchased two large agricultural land plots (of approximately 6 ha and 18 ha), and in 2010, she purchased a land plot (with two seemingly newly renovated houses totaling 243.9 sq. m. and four household annexes totaling 186.7 sq. m.). While the purchase price of these properties is unknown, there are significant investments that well exceed V.M.'s official income. Moreover, these properties were sold only in 2014 and therefore cannot contribute to the repayment of the alleged loans.
90. The foregoing leads to the conclusion that V.M. could not repay any of the loans allegedly contracted from the subject's mother. Even if the loans were made, they do not prove that the subject's mother had additional income available, as she could have used all her established disposable income to fund these loans. Finally, these loans were declared only now, after three years of questioning regarding the subject's mother's finances (both under Law no. 26/2022 and Law no. 252/2023), without any objective reasons justifying the impossibility of presenting them earlier.
91. The Commission will therefore, as in the initial evaluation, not take into account the possible savings from the market activity of the subject's mother or possible additional available income of the subject's mother.
92. Regarding the contributions by the subject's brother, the Commission notes that on 16 February 2025, the day before the hearing in the initial evaluation procedure, the subject provided a bank statement from an Italian bank, "Credito Cooperativo", covering a ten-year period. According to the subject, her brother traveled to Italy specifically to obtain this document. The subject's statements about her brother's travel to Italy to acquire this statement were corroborated by her brother's crossing of the state border on 4 February 2025 using the Chisinau airport (flight Chisinau-Bologna) and his re-entry on 11 February 2025.

93. According to Border Police data, before these dates, the subject's brother apparently traveled to Italy at least twice since the date of the initial pre-vetting evaluation hearing (28 October 2022). The table below reflects the subject's brother's air entry and departure dates.

Date	Departure from	Entry to
28 April 2023	Bologna	Chisinau
29 September 2023	Chisinau	Bologna
22 November 2024	Bologna	Chisinau
4 February 2025	Chisinau	Bologna
11 February 2025	Bologna	Chisinau

94. In the first round of questions (Question 3 lit.c), the subject explained that her brother could not secure the bank statement earlier because he worked as a driver and could not conveniently obtain the statement.
95. Unlike in the pre-vetting evaluation process, the Commission referenced these new documents in its initial evaluation report: a ten-year bank statement from an Italian bank and evidence of her brother's cross-border movement (Chişinău–Bologna) from 4 to 11 February 2025. The Commission accepted these documents, alongside previously presented documents (those proving his theoretical financial capacity, information regarding brother's daily expenses, documents attesting to the close relationship between subject-brother-mother etc.) as sufficient proof of her brother's financial ability to fund the apartment purchase (initial evaluation report, §§ 89-97).
96. The Commission also acknowledges, as the subject did, that it was not the subject who possessed the new document, but rather her brother.
97. In this context, the Supreme Court of Justice noted that the progressive submission of statements and evidence is reasonable, as such materials are intended to address suspicions formulated by the Commission, which the subject could not have anticipated (Decision of 26 June 2025, *Chirtoacă v. Pre-Vetting Commission*, §§ 192-193).
98. For the above considerations, the Commission concluded in the initial evaluation report that the brother's contribution to the purchase of the apartment was at least 30,000 EUR. All potential doubts on this point were mitigated based on the information received after the SCJ's decision of 15 July 2024. Regarding the doubts about the provenance of 8,000 EUR, the Commission sees no reason to diverge from the conclusion of the initial

evaluation report regarding the inexplicable wealth in 2018, as it's based on the evaluation criteria of Law No. 252/2023 and not Law No. 26/2022.

99. In light of the conclusion noted at § 119 of the initial evaluation report concerning the negative balance of 42,673 MDL in 2021 (due to identified deposits on accounts belonging to the subject's son), together with the negative balance noted at §§ 44, 45 above (deficit of 21,282 MDL for the acquisition of the vehicle in February 2015), and at § 99 above (166,000 MDL unsubstantiated payments for the apartment), the Commission established that the subject incurred a total inexplicable wealth of 229,673 MDL. Even if it had been treated as unjustified wealth, it would not exceed the threshold of 234,000 MDL under Article 11 para. (3) lit. a) of Law No. 252/2023.

D. Potential conflict of interest with M.U.

SCM findings (SCM's decision, § 3.8.5.)

100. The SCM noted that the Commission failed to consider the potential conflict of interest arising from the subject's adjudication of cases involving former judge M.U. (previously M.P.), with whom she had an amicable relationship.

Commission's assessment

101. In carrying out its initial evaluation, the Commission identified three instances when the subject and M.U. had foreign vacation package tours (one for Turkey and two for Dubai, United Arab Emirates) together in 2017-2019. The Commission has also identified instances when the subject and M.U. had regular border crossings together. According to the Border Police database, using a vehicle model Porsche Cayenne, on 29 December 2018, the subject left the Republic of Moldova together with M.U. They returned together on 3 January 2019. Subsequently, on 6 September 2019, they left the Republic of Moldova together in a vehicle model Lexus LX 470, and on 8 September 2019, they returned in the same vehicle.
102. According to the accumulated information, the subject was assigned two cases involving M.U. The circumstances concerning these cases are described below.
103. The first case is *M.P. and V.M. v. SCM* and concerns the request of two judges to annul the 2019 decision of the SCM regarding their dismissal from the position of member of the Council of the National Institute of Justice based on integrity concerns (*suspiciuni de integritate*).
104. In this case, the subject submitted a declaration of self-recusal on 18 November 2019. Therein, the subject stated she and judge M.P. were colleagues in 2003 –

2005 at the Hîncești District Court and, in 2015 – 2019, at the National Institute of Justice. The subject stated that she and “M.P. had a close personal relationship” (in Romanian: „mai mult atît cu reclamanta V.M. cît și cu M.P. ne aflăm în relații de cunoștință apropiată”).

105. Although the subject submitted a declaration of self-recusal, it was dismissed by another Chișinău Court of Appeal panel on 27 November 2019. Thus, the composition of the three-member panel responsible for examining this case remained unchanged. On 28 November 2019, the Chișinău Court of Appeal (with the subject’s participation) decided to uphold the claimants’ request and to quash the 2019 decision of the SCM, ruling it contrary to the law. The case (3ra-1592/19) is pending before the Supreme Court of Justice.
106. The second case is *M.U. v. the National Integrity Authority* and concerns the request of a Supreme Court of Justice judge to annul the 2022 decision of the NIA regarding the breach of the legal regime of declaration during 2014-2019 and 677,799 MDL unjustified difference between the assets and the expenses in 2014.
107. In this case, the subject also submitted a declaration of self-recusal on 11 April 2022, informing the court about her close friendship (*relație apropiată de prietenie*) with the claimant. On 14 April 2022, another Chișinău Court of Appeal panel dismissed her declaration of self-recusal. However, the subject did not participate in the later examination of this case. Following the Chișinău Court of Appeal President’s decision No. 45, dated 27 December 2022, to form specialized panels, the panel involving the subject declined jurisdiction in favor of the specialized panel for examining administrative cases.
108. On 30 October 2023, the Chișinău Court of Appeal specialized panel decided to uphold the claimant’s request and to quash the 2022 decision of the NIA for procedural reasons. The case (3ra-125/24) is pending before the Supreme Court of Justice.
109. The Commission verified the relevant files in the Integrated Case Management System (hereinafter “PIGD”) and confirmed that the subject self-recused in both cases involving M.U. In the absence of any ambiguities on this matter, the Commission did not ask the subject about this issue during the re-evaluation.
110. The Commission notes that under Article 52 para. (4) of the Civil Procedure Code, the procedure for resolving the self-recusal request is determined according to the provisions of Articles 53 and 54. Further, Article 53 para. (1)

states that the self-recusal proposal is examined by the court examining the merits of the case. This court examines the explanations of the person whose recusal is requested, if they have been submitted, and listens to the opinion of the trial participants. Interrogatories are not admissible as evidence of the grounds for recusal, nor is the performance of any procedural steps.

111. It follows that the judges should accurately and precisely describe the nature and the grounds for the reasons leading to a potential recusal.
112. Indeed, the close relationship between the then judge at the Supreme Court of Justice, M.U., and the subject transcended mere friendship as former colleagues (at the Hîncești District Court, the National Institute of Justice Council) and could raise legitimate fears as to the subject's impartiality when sitting on the bench of the Chișinău Court of Appeal.
113. However, the subject filed declarations of self-recusal and disclosed the close personal relationship with M.U. The subject's declarations of self-recusal invoked the nature of the relationship, she did not indicate the circumstances of the foreign vacations together with M.U.
114. The rejection of the declarations of self-recusal in both cases mentioned above may have resulted from an insufficient statement of the reasons for the conflict of interest. Providing such an insufficient statement for a request of self-recusal could be problematic, but cannot be equated however with the failure to formulate such a request that would lead to the non-promotion under the ethical criterion under Article 11 para. (2) lt. a) of Law No. 252/2023 (see *Ursachi*, Report of 5 November 2024, § 109).
115. This is the reason why the Commission treated the fact of submitting declarations of self-recusal and disclosing close relationship as mitigating factor. Therefore, the potential conflict of interest issue was not reflected in the initial evaluation report. Under Article 17 para. (1) and 20 para. (3) of Law No. 252/2023, the Commission must set out in its report the relevant facts, the reasons, and the conclusion regarding the outcome of the evaluation. In following this provision, the Commission notes that its reports do not reflect every issue ever identified during the process.

V. Conclusion of the resumed evaluation

116. Based on the information it obtained and the data presented by the subject, the Commission proposes that the subject promotes the external evaluation made according to the criteria set in Article 11 of Law No. 252/2023.

VI. Further action and publication

117. As provided in Article 25 para. (3) of the Rules, this re-evaluation report will be sent by e-mail to the subject and the Superior Council of Magistracy. The Commission will publish the re-evaluation's result on its official website on the same day.
118. No later than three days after the approval, a printed paper copy of the report, electronically signed by the Chairperson, will be submitted to the Superior Council of Magistracy, along with the original electronic copy of the re-evaluation file containing all the evaluation materials gathered by the Commission.
119. 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.
120. This re-evaluation report was approved by unanimous vote of the participating members on 7 October 2025 and signed pursuant to Article 8 para. (1) and (2) of Law No. 252/2023.
121. Done in English and Romanian.

Scott Bales

Chairperson