



COMISIA DE EVALUARE A JUDECĂTORILOR  
JUDICIAL VETTING COMMISSION  
str. Alexei Mateevici 75, mun. Chișinău,  
MD-2009, Republica Moldova  
+373 22 820 882 | +373 60 246 352  
secretariat@vettingmd.eu | www.vettingmd.eu

---

# EVALUATION REPORT

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

**ION RUSU**

Interim Vice President of the Drochia Court

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

---

20 January 2026

## Contents

<b>I.</b>	<b>Introduction</b> .....	<b>3</b>
<b>II.</b>	<b>Subject of the Evaluation</b> .....	<b>3</b>
<b>III.</b>	<b>Evaluation Criteria</b> .....	<b>4</b>
<b>IV.</b>	<b>Evaluation Procedure</b> .....	<b>6</b>
<b>V.</b>	<b>Analysis</b> .....	<b>8</b>
A.	Compliance with the conflict-of-interest regime.....	9
B.	Compliance with the incompatibility's regime .....	14
C.	Potential inexplicable wealth for 2014-2017, 2021, 2022.....	18
<b>VI.</b>	<b>Conclusion</b> .....	<b>27</b>
<b>VII.</b>	<b>Further action and publication</b> .....	<b>27</b>

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 8 December 2025 and approved the following report on 20 January 2026. The members participating in the approval of the report were:

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

Commission chairperson Andrei Bivol provided a written description of the circumstances referred to in Article 10 para. (1) of the Commission’s Rules of Organization and Functioning (hereinafter “Rules”). The circumstances concerned prior professional contacts. The Commission determined that a recusal is not warranted.

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 Mr. Ion Rusu (hereinafter the “subject”), the Interim Vice President of the Drochia Court.
2. The Commission conducted its evaluation pursuant to Law No. 252/2023 and the 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 has been a judge at the Drochia Court since 2005. He holds the position of Interim Vice President of this court.
5. On 12 May 2017, the subject was appointed as Vice President of the Drochia Court for a period of four years. He held the same position during 2015-2017.
6. Between 1998 and 2005, the subject worked at the “Drochia” Law Firm. He obtained his attorney-at-law license in 2002.

7. The subject received a bachelor's degree in law in 1997 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 Status of 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 at the time 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 found 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 information from the Superior Council of Magistracy under Article 12 para. (1) of Law No. 252/2023. The information included the subject as a vice president of the Drochia Court.
20. On 2 May 2025, the Commission notified the subject and requested that he complete and return the ethics questionnaire and the declarations provided for 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 22 May 2025.
21. On 30 May 2025, the Commission notified the subject that his evaluation file had been randomly assigned to Panel A, comprising Andrei Bivol, Willem Brouwer, and Lavly Perling. He 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 12 years. Due to the end-of-year availability of tax and wealth and personal interests declarations, the financial criteria evaluation period covered 2013-2024 and 2015-2024. 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 (Eximbank JSC, Moldinconbank JSC, MAIB JSC, Procredit Bank JSC, Victoriabank JSC, OTP Bank JSC, Banca de Economii JSC, Unibank JSC), Office for Prevention and Fight Against Money Laundering and the Public Service Agency (hereinafter "PSA"). 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 was received from civil society. All information received was carefully screened for accuracy and relevance.
27. On 2 September 2025, the Commission asked the subject to provide additional information by 14 September 2025 to clarify certain matters (hereinafter the "first round of questions"). On 11 September 2025, the subject requested an extension until 21 September 2025 to respond, which the Commission granted. The subject provided answers and documents within the extended deadline.
28. On 20 October 2025, the Commission asked the subject to provide additional information by 30 October 2025 to clarify certain matters (hereinafter the "second round of questions"). The subject provided answers and documents within the deadline.
29. On 14 November 2025, the Commission asked the subject to provide additional information by 23 November 2025 to clarify certain matters (hereinafter the "third round of questions"). The subject provided answers and documents within the deadline. To supplement the third round of questions, the Commission requested further information by 25 November 2025. The subject provided answers and documents within the deadline.

30. On 28 November 2025, the Commission notified the subject that it had identified areas of doubt regarding the subject's compliance with the financial criterion, had preliminarily established non-compliance with the ethical integrity criterion, and invited him to attend a public hearing on 8 December 2025. The subject was also informed that the evaluation report may refer to other issues considered during the evaluation.
31. On 1 December 2025, the subject submitted a request to the Commission to hold the hearing in a closed session regarding his former wife and his former parents-in-law. The Commission granted the request and determined to conduct a part of the hearing in a closed session.
32. As provided in Article 39 para. (4) of the Rules, the subject sought and was provided access to all the materials in his evaluation file on 3 December 2025.
33. On 7 December 2025, the subject submitted additional information and documents. The Commission included them in the evaluation file and considered them in its analysis.
34. On 8 December 2025, the Commission held a public hearing. At the hearing, the subject reaffirmed the accuracy of his answers in the five-year declaration and the ethics questionnaire. He also stated that he had no corrections or additions to the answers previously provided in response to the Commission's requests for information.
35. On the same day as the hearing, the subject submitted additional documents. The Commission included them in the evaluation file and considered them in its analysis.

## V. Analysis

36. This section discusses the relevant facts and reasons for the Commission's conclusion.
37. 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 conflict-of-interest regime;
  - b. compliance with the incompatibility regime;
  - c. potential difference between the assets, expenses, and income (hereinafter "unjustified or inexplicable wealth") for 2014-2017, 2021, and 2022.

**A. Compliance with the conflict-of-interest regime**

38. Pursuant to Article 11 para. (2) lit. b) of Law No. 252/2023, the Commission assessed the subject's compliance with the legal regime governing the conflicts of interest.

**A.1. Subject's brother and father acted as attorneys**

39. The subject's father, G.R., and his brother, V.R., have been practicing as attorneys since December 2002 and June 2006, respectively. Each of them practices in his own law office in the city of Drochia.

40. The Commission identified in the Integrated Case Management Program (hereinafter the "PIGD") at least 22 cases from 2015 to 2018 that were initially assigned to the subject and in which the subject's brother or father participated as attorneys representing the parties. In those cases, the subject first issued a ruling on receiving the lawsuit for examination (*încheiere de acceptare a cererii de chemare în judecată în vederea examinării*) or a ruling setting the matter for judicial debates (*încheiere de pregătire pentru dezbateri judiciare*), and only thereafter submitted declarations of self-recusal.

41. In response to the third round of questions (Questions 9, 10), the subject stated that he filed declarations of self-recusal in all cases in which his father or brother acted as attorneys, he provided copies of self-recusals and the corresponding rulings admitting those declarations. He explained that the practice of first issuing rulings on receiving the lawsuits for examination and then submitting self-recusals was determined by the functioning of the PIGD version in place in early 2015, which was subsequently amended in 2019. To support his statements on the program amendments, the subject submitted a letter dated 20 November 2025, issued by the Agency for digitalization in justice and court administration.

42. After analyzing the available information, the Commission found that, following the filing of the self-recusals, the subject did not examine the merits of any of the cases concerned. Those cases were subsequently reassigned to other judges.

43. Under Article 52 para. (1) of the Civil Procedure Code, if there are grounds specified in Articles 50 and 51, the judge is obliged to refrain from judging (Romanian: *judecată*). An analysis of the term "judging" used in the Civil Procedure Code suggests that this means a set of procedural actions carried out by the court in connection with the examination of the civil cases assigned to them.

44. At the time the subject filed the self-recusals, the judicial practice was inconsistent as to the procedural stage at which a judge was obliged to self-recuse. For this reason, on 31 July 2019, the Supreme Court of Justice published an advisory opinion concluding that a judge's obligation to recuse from adjudicating the case arises on the date the lawsuit is received through PIGD.<sup>1</sup> The Supreme Court confirmed that the term "judging" should be understood as referring to a series of procedural acts carried out by the participants in the proceedings and by the court in connection with the examination and resolution of civil disputes (see, paragraph sixth on page one of the advisory opinion).
45. In the Commission's practice, there are similar cases where the subject did not consider the merits of the cases involving relatives, e.g. *Cazacliu* (Report of 20 February 2024, § 43), *Juganari* (Report of 4 March 2025, § 85). In those cases, however, the subjects did not file self-recusals.
46. In addition to the above-mentioned, the Commission identified in PIGD a case in which the subject's father, G.R., was registered as an attorney of the defendant in a theft case and was served with summons on 20 June 2018. No declarations of recusal were identified in PIGD in relation to this case. However, the sentence of 18 October 2018 issued by the subject does not identify the subject's father as an attorney, nor do the two minutes of hearings (*proces-verbale*).
47. In response to the third round of questions (question 9), the subject explained that the theft case had been assigned to him after it was disjoined (*disjungerea cauzei*) from another case. In that other case, the subject filed a self-recusal because his father had acted as the defendant's attorney in a different offence case. According to the subject, the summons dated 20 June 2018 resulted from an omission by the Drochia Court registry, which failed to remove attorney G.R. from the list of participants in the disjoined case. The subject further stated that his father did not hold a mandate in the case he examined. In support of this explanation, the subject submitted copies of the relevant case materials. These include: the mandate dated 6 December 2016 issued to attorney G.R. in a separate offence case (article 152 para. (1) of the Criminal Code); the document dated 29 June 2017 regarding the assignment of the separate case to the subject; the subject's declaration of self-recusal dated 4 October 2017; the ruling admitting the subject's self-recusal; the document dated 5 October 2017 assigning the case to the judge L.G.; the ruling of 24 November 2017 issued by the judge L.G., joining the theft case (article 186 of

---

<sup>1</sup> [https://jurisprudenta.csj.md/search\\_rec\\_csj.php?id=165](https://jurisprudenta.csj.md/search_rec_csj.php?id=165)

the Criminal Code) with the separate offense case under article 152 para. (1) of the Criminal Code; the mandate dated 23 May 2018 issued to attorney A.T. in the theft case; the ruling of 25 May 2018 issued by judge L.G., disjoining the theft case from the other offence case; the document dated 5 June 2018 assigning the theft case to the subject; the sentence of 12 December 2018 issued by judge L.G. in the other offence case.

48. In view of the above and the explanations provided, the Commission considers that the doubts concerning the potential conflict of interest arising from relatives who are practicing law before his court have been mitigated.

#### **A.2. Former colleagues from “Drochia” Law Firm acted as attorneys**

49. Before his appointment as a judge at Drochia Court on 16 December 2005, the subject worked at the “Drochia” Law Firm from 1998 to 2005. He obtained his attorney’s license on 10 December 2002.
50. It follows from the Register of Attorney’s Offices and Law Firms<sup>2</sup>, held by the Ministry of Justice, that three attorneys currently practice at “Drochia” Law Firm. All three obtained their licenses in the same year as the subject, namely 2002. A fourth attorney also worked at the firm, holding a license issued in 2006 and that withdrew in October 2020.
51. The Commission identified in PIGD that, between 2010 and 2025, the subject adjudicated more than one hundred cases in which his former colleagues from the law firm acted as attorneys for parties.
52. In the supplement to the third round of questions (question 2), the Commission asked the subject whether he had filed self-recusals in the relevant cases and whether he had informed the participants in those proceedings about circumstances related to his links with the attorneys from the “Drochia” Law Firm, so that they could request recusals if they considered it necessary. The subject explained that his relationship with the attorneys concerned was strictly professional and limited in time, arising solely from the fact that, prior to 2005, he had worked in the same law firm. He stated that they were merely colleagues, not close friends or relatives, and that they did not share clients or fees.
53. The Commission asked the subject to specify how and when he had met the attorneys from the “Drochia” Law Firm, whether he had known any of them

---

<sup>2</sup><https://www.justice.gov.md/ro/content/registrul-cabinetelor-avocacilor-si-birourilor-asociate-de-avocati>

before joining the firm, and whether he currently maintains contact with any of them. He denied this and stated that he did not attend events with them, travel with them on vacation, cross borders with them, collaborate professionally with them, share common interests with them, or have any dependence or connection that could have affected his impartiality. He further clarified that his association with the “Drochia” Law Firm was based solely on practical considerations, namely, sharing office space and infrastructure and covering joint expenses, including rent, utilities, equipment, and contributions to the general operation of the office. This arrangement did not involve personal ties, mutual obligations, or a professional partnership beyond logistical and organizational management of office activities.

54. The subject submitted a written declaration dated 25 November 2025, signed by V.L., the current head of the “Drochia” Law Firm, confirming the termination of the subject’s attorney activity upon his appointment as a judge in 2005. V.L. stated that he has served as head of the firm since 23 February 2015, although he has worked there since 25 December 1998.
55. The subject explained that many of the cases he examined involved the above-mentioned attorneys because of the limited number of attorneys practicing in the city of Drochia. He also stated that from 2012 to the present, half of the magistrates of the Drochia Court (three out of six) worked previously as attorneys at the “Drochia” Law Firm or as prosecutors. In the subject’s view, a categorical assessment of the principle of impartiality would render the court dysfunctional.
56. To support his statements that mere existence of previous professional ties cannot raise reasonable doubts as to the judge’s impartiality, the subject cited from the case law of the Supreme Court of Justice (Ruling on the motion to change venue in the criminal case against *Armen Oganesean*, no. 1cs-654/2024, 6 January 2025, §§ 10, 11)<sup>3</sup> and of the European Court of Human Rights (hereinafter “ECtHR”) (*Steck-Risch and others v. Liechtenstein*, no.63151/00, 19 May 2005, §§ 42, 48)<sup>4</sup>.
57. The subject, therefore, considers that there was no legal basis for self-recusal, as there were no grounds capable of calling his impartiality into question.

---

<sup>3</sup> [https://jurisprudenta.csj.md/search\\_col\\_penal.php?id=25589](https://jurisprudenta.csj.md/search_col_penal.php?id=25589)

<sup>4</sup> <https://hudoc.echr.coe.int/eng?i=001-69095>

58. At the hearing, the subject clarified that he completed his traineeship in the legal profession in 1997 and that his supervising attorney had long since left the country.

*Commission's assessment*

59. The judges have an obligation to perform their functional duties impartially. Article 52 para. (1) of the Code of Civil Procedure, Article 34 para. (1) of the Code of Criminal Procedure, Article 202 para. (1) of the Administrative Code, Article 4 para. (4) and (5) of the Code of Ethics require the judge to self-recuse from examining the case when there are reasons affecting his impartiality.

60. The principle that a "tribunal" must be presumed to be free of personal prejudice or partiality is long-established in the ECtHR's case law. The personal impartiality of a judge must be presumed until there is proof to the contrary. As to the objective test, it should be determined whether, apart from the judge's conduct, there are ascertainable facts which may raise doubts as to his or her impartiality. In this connection even appearances may be of a certain importance or, in other words, "justice must not only be done, it must also be seen to be done". What is at stake is the confidence which the courts in a democratic society must inspire in the public (*Morice v. France* [GC], no. 29369/10, 23 April 2015, §§ 74, 76, 78).

61. In deciding whether, in the present case, there is a legitimate reason to fear that the subject lacks impartiality, the Commission assessed whether such doubts can be regarded as objectively justified.

62. The subject explained that he has no friendly or interest-based relationships with his former colleagues at the law firm who were attorneys on the cases the subject examined. The Commission did not find evidence to the contrary.

63. The Commission did not identify any hierarchical relationship between the subject and the attorneys concerned, or any potential financial interest or benefit of the subject. According to his Curriculum Vitae, between 1998 and 2005 (the year of his appointment as a judge), the subject served as head of the "Drochia" Law Firm. As mentioned in § 54 above, one of the four attorneys at that firm has served as the firm's head only since 2015, ten years after the subject ceased practicing as an attorney.

64. In the context described and considering the importance of appearances, the subject could have informed the parties of the circumstances in which he became acquainted with the attorneys appearing in the cases.

65. However, in the absence of an indication of a personal or financial relationship with the attorneys concerned or of a relationship resulting from representing shared clients, the Commission takes the view that any doubts as to the subject's impartiality are not objectively justified.
66. In *Steck-Risch and Others*<sup>5</sup>, an ECtHR case also invoked by the subject, the context was similar. One of the judges of the Constitutional Court, deciding on the applicant's appeal against a decision of the Administrative Court, and the judge who had presided over the proceedings before the Administrative Court were partners in the same law firm. The ECtHR noted the absence of any form of dependence between them, whether professional, financial, or hierarchical, and the absence of any indication that their relationship extended beyond that of office colleagues. Having regard to those factors, the ECtHR found that the mere fact that they shared offices did not objectively justify the applicants' fears that the judge lacked impartiality (§§ 48-49).
67. In the circumstances of the case, the Commission concludes that the subject's prior work, from 1998 to 2005, at the same law firm as the parties' attorneys in cases the subject examined since 2010, does not constitute a violation of the ethical integrity criterion under Article 11 para. (2) lit. b) of Law No. 252/2023.

## **B. Compliance with the incompatibility regime**

68. As noted previously in § 49 above, the subject obtained the attorney's license on 10 December 2002.
69. According to the information provided by the Bar Association, the subject's activity as attorney was suspended as of 31 January 2023, pursuant to Article 13 para. (1) let. e) (non-payment of contributions to the Bar Association's budget) of the Law No. 1260/2002 on the attorney profession (hereinafter "Law No. 1260/2002").
70. The Commission asked the subject when he effectively practiced his attorney's activity and when he stopped paying contributions to the Moldovan Bar Association.
71. In his response to the supplement to the third round of questions (question 1), the subject stated that he ceased practicing as an attorney upon his appointment as a judge on 16 December 2005.

---

<sup>5</sup> See ECtHR, *Steck-Risch and Others v. Liechtenstein*, No. 63151/00, 19 May 2005, §§ 32-45.

72. He stated also that, under the Law No. 1260/2002, which was applicable at the time, the activity of an attorney was deemed suspended by operation of law for the duration of the incompatibility, and that he had submitted a request notifying his appointment as a judge. The subject did not provide the Commission with a copy of this request because more than 20 years have passed. He further stated that, throughout this period, he believed that his activities as an attorney had been suspended by the authorities on the abovementioned grounds.
73. To support this, the subject stated that since 2008, he has not been included in the annual lists of attorneys entitled to practice the profession. The list for 2008 was published in the Official Gazette on 4 March 2008. In the subject's view, his exclusion from this list was delayed due to an omission by the Licensing committee.
74. He explained that his contributions to the Moldovan Bar Association's budget ceased upon his appointment as a judge, and stated that he has never submitted a request to be re-included in the list of attorneys entitled to practice. He considers the Bar Association's decision to reinclude him in the list of attorneys with the right to practice in 2023 (with the mention - activity suspended from 31 January 2023, according to Article 13 para. (1), let. e) of Law no. 1260/2002) to be unfounded and taken unilaterally.
75. In contrast with the subject's statements that he worked at the "Drochia" law firm from 1998 to 2005, a letter of 25 November 2025 from the Ministry of Justice notes that, from the date his license was issued to the present, the subject, as an attorney, has not registered any form of activity organization which denotes lack of any activity as an attorney.
76. At the hearing, the subject explained that neither the Ministry of Justice nor the Bar Association possessed any documents in the subject's case file as an attorney, prior to being contacted by the subject in connection with the evaluation procedure. According to the subject, there was no legal obligation on his part to request suspension. Instead, the authorities were responsible for suspending his attorney's activity once notified of the incompatibility. The subject stated that he submitted his attorney's license and attorney's identification card for safekeeping during the suspension period at the Bar Association, as required under Article 12 para. (2) of the Law No. 1260/2002, applicable at the time. He added that he did not make any payments for health or social insurance and is not registered with the fiscal authority as an attorney, submitting supporting documentation to that effect.

*Commission's assessment*

77. Article 8 para. (1) of the Law No. 544/1995 on the status of judges provides the incompatibilities with the office of judge, including any remunerated position or activity.
78. At the date of appointment for the position of judge, 16 December 2005, the provisions in force of Article 12 para. (1) of Law No. 1260/2002 stipulated that professional activity is suspended upon the submission of a request for suspension. Paragraphs (2) and (3) of the same article provided that the adoption of decisions regarding suspension fell within the competence of the commission for licensing the attorney's profession. The licenses of attorneys in respect of whom a decision on the suspension of activity has been adopted are transmitted to the Ministry of Justice for safekeeping for the duration of the suspension.
79. Following the amendments introduced by Law No. 215/2006 in force from 11 August 2006, Article 12 para. (1) let. b) of Law No. 1260/2002 provided that “an attorney’s activity shall be suspended by operation of law in cases of incompatibility, for as long as the incompatibility persist”. The phrase “by operation of law” (*se suspendă de drept*) was removed by Law No. 67/2021 in force since 14 June 2021.
80. After consultation, the Bar Association informed the Commission that it identified neither a request for suspension, nor a decision of the Licensing Committee regarding suspension, nor the subject’s license as an attorney, as provided by Article 12 of Law No. 1260/2002 in force on 16 December 2005. According to the Bar Association, in the absence of these documents, there was no legal basis to consider that the attorney’s professional activity had been suspended. Following the amendments introduced by Law No. 67/2021, whereby the competence to suspend and to resume the activity of attorneys was transferred to the Secretary General of the Bar Association, a verification process was initiated to identify attorneys who had outstanding contributions to the Bar’s budget within the meaning of Article 13 para. (1) let. e) of Law No. 1260/2002. As a result of these verifications, on 31 January 2023 the Secretary General of the Bar ordered the recording of the suspension of the professional activity of 183 attorneys who had accumulated debts exceeding 1,500 MDL to the Bar’s budget.<sup>6</sup> The subject is among them.

---

<sup>6</sup> <https://uam.md/wp-content/uploads/2023/10/Consemnare-Suspendare-Datorii.pdf>

81. In practice, the Commission did not find, upon the subject's appointment to the position of judge, any form of representation or legal assistance provided as an attorney, such as legal assistance contracts. The subject did not receive any mandate forms during this period, as confirmed by the publishing house "Statistica". According to the Bar Association, throughout the period 1998–2023 the subject did not serve as a member of any collegiate bodies of the Bar. Furthermore, since 2005, no income or payments have been identified in his capacity as an attorney.
82. The subject declared that he did not contribute to the Bar Association's budget. However, although initially according to an act of mutual settlements the Bar suggested the existence of a contribution made by the subject, subsequently, at the repeated request of the Commission, the accounting department of the Bar Association clarified the absence of any payments made by the subject. The obligation of attorneys to make contributions to the budget of the Bar has existed since the adoption of Law No. 1260/2002. A legal provision exempting attorneys whose professional activity is suspended from making such contributions was introduced in 2021 (Law No. 67/2021, valid as of 14 June 2021). At the same time, Article 15 paragraph (2) of the Statute of the attorneys' profession expressly required lawyers whose activity was suspended due to incompatibility to pay contributions to the Bar's budget.<sup>7</sup> This provision was in force from 8 April 2011 until 29 May 2020.
83. The circumstances of the case suggest that the inclusion of the subject's name in the list of attorneys entitled to practice for 2023 constitutes a unilateral decision of the Bar Association and does not reflect the subject's intention to exercise the attorney's profession. The recording by the Bar Association of the suspension of the subject's activity as an attorney only on 31 January 2023, on the basis of the finding of outstanding debts to the Bar's budget, is the result of the actions or omissions of the subject and the relevant entities. However, this does not in any way indicate that the subject exercised or intended to exercise the activity of an attorney up to the time when the suspension was recorded by the Bar.
84. In view of the information in its possession, the Commission does not find that the above circumstances related to the subject's attorney activity

---

<sup>7</sup> [https://www.legis.md/cautare/getResults?doc\\_id=121620&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=121620&lang=ro#)

represent an ethical violation under Article 11 para. (2) let. b) of the Law No. 252/2023.

**C. Potential inexplicable wealth for 2014-2017, 2021, 2022**

85. In its analysis of the subject's household income and expenses, the Commission initially identified a potential negative balance between incoming and outgoing financial flows of 229,728 MDL for 2014-2017, 37,057 MDL in 2021, and 72,356 MDL in 2022.
86. Following the subject's additional explanations and a final determination, the potential negative balance of 2021 and 2022 has been mitigated. Similarly, the balance for 2014-2017 was decreased from 229,728 MDL to 179,670 MDL, following the acceptance of the subject's former wife's contributions.
87. In 2021, the initially identified negative balance of 37,057 MDL was largely due to attribution to the subject's outgoing financial flows of expenses for his daughter's acquisition of a vehicle, model Citroen DS3 m/y 2012, of 100,000 MDL. However, per the reasoning at §§ 114-123 below, the subject presented compelling evidence that his daughter had the ability to finance this acquisition with existing cash savings. Accordingly, the full expense for this acquisition was excluded from the subject's outgoing financial flows. Even after the attribution of 64,560 MDL in bank transfers carried out by the subject's former wife to unknown third parties, at least some of which were identified to be the subject's daughter, the balance between financial flows amounted to -1,617 MDL.
88. In 2022, the initially identified negative balance of 72,356 MDL was largely due to the attribution of 120,000 MDL to the daughter's purchase of a Renault Captur, m/y 2015. As explained at §§ 114-123 below, the subject submitted compelling evidence indicating that this purchase could have been covered by the daughter's pre-existing cash reserves. Consequently, this amount was removed from the subject's outgoing financial flows. The Commission further noted potential bank transfers totaling 97,003 MDL from the subject's former wife to the daughter during the same year. Given that the initial assessment had already accounted for 75,916 MDL in declared donations received by the daughter, only a residual amount of 21,087 MDL remained for consideration. Even after the attribution of this amount, the subject's household maintained a positive overall balance of financial flows.
89. As a result of these and other factors to be examined below, the Commission updated its preliminary calculations and could only reliably establish a potential inexplicable wealth of -179,670 MDL for 2014-2017. The breakdown

of the identified inexplicable wealth by year is: -17,869 MDL in 2014, -72,769 MDL in 2015, -71,525 MDL in 2016, and -17,507 MDL in 2017.

### **C.1. Alleged cash savings at the beginning of the evaluation period**

90. In the second round of questions (question 3 let. a), the subject claimed that at the end of 2012, he had available 8,500 EUR and 1,500 USD. The subject could point to the following four sources for these savings:
- a. 9,600 EUR in international transfers from his former parents-in-law over the period 2008-2010.
  - b. 2,000 EUR and 1,500 USD in international transfers from O.P., the godson of the subject's godson in 2012.
  - c. Savings accumulated from salary and social security.
  - d. 45,000 EUR sale of a 69.6 sq m apartment in Drochia in December 2009.
91. The transfers from the former parents-in-law were substantiated by the availability of sufficient income and the lack of properties in Moldova. The transfers from O.P. were partially substantiated by the explanation that these funds represented repayment of a prior loan taken by O.P., seemingly to acquire property. The subject submitted a declaration dated 29 October 2025, signed by this individual, and the sale-purchase contract dated January 2005. According to this, O.P. purchased an apartment in Drochia in 2005 for the equivalent of 2,700 USD.
92. As regards savings accumulated through ordinary sources of income, there are no indications of sufficient income prior to 2013 to accumulate significant savings. Moreover, the subject's savings patterns during the later part of the evaluation period, when he had a higher income, diminish this possibility.
93. As regards the 2009 sale of the Drochia apartment, under the sale-purchase contract the property was sold for 189,457 MDL<sup>8</sup> (approximately 11,000 EUR at the December 2009 exchange rate). The apartment was jointly owned by the subject and his parents. The subject provided a declaration dated 16 November 2025, signed by the buyer concerning the real sale price of 45,000 EUR.
94. At the hearing, the subject declared that the amount stated in the contract was insisted upon by the buyer, based on the buyer's financial capacity, as

---

<sup>8</sup> Total contractual price of 189,457 MDL = sale price of 90,000 MDL+ price for inventory of 99,457 MDL.

a higher price would entail additional costs for him. Regarding the proceeds of the sale, the subject stated that, at his parents' request, he received the full amount.

95. Although incorrect, the Commission acknowledged on prior occasions that indicating contractual sale prices that differed from the actual price paid was a common practice during the relevant period. However, the subject did not provide persuasive evidence or explanations regarding the actual price paid. A receipt obtained during the evaluation (November 2025) purporting to confirm a transaction concluded in 2009 cannot constitute reliable supporting evidence, given the considerable lapse of time and the inaccuracies in the data. While the sale contract is dated 15 December 2009 and was registered with the cadaster the following day, the receipt indicates that the apartment was sold in 2010.
96. Even if the contractual sale price is attributed to the subject, the subject's sources of revenue prior to 2013 would amount to no more than 22,600 EUR and 1,500 USD.
97. On the other hand, in the period 2010-2012, the subject had expenses of at least 36,400 EUR. In 2010, the subject paid 95,000 MDL in contractual value for the house at Mihai Eminescu St., Drochia, and an additional 370,633 MDL for inventory (approximately 30,000 EUR in total). The subject further confirmed that finishing and repair expenses of at least 3,000 EUR and furnishing expenses of 1,400 EUR were incurred for the Mircea cel Bătrân apartment in Chișinău in 2011-2012. Finally, the subject confirmed incurring 2,000 EUR in finishing and repair expenses for the Mihai Eminescu St., Drochia house in 2010-2011.
98. Accordingly, the claimed sources of cash savings at the beginning of the evaluation period are improbable and were excluded from the Commission's analysis.

### **C.2. Acquisition of vehicle model Mitsubishi Outlander m/y 2013**

99. On 22 August 2013, the subject entered into a financial lease agreement for the acquisition of the Mitsubishi Outlander (model year 2013) under a 48-month lease. The subject signed on behalf of his father pursuant to a power of attorney dated 20 August 2013, which granted full powers to act in the father's name for the acquisition of a vehicle of the subject's choice. The terms of the lease contract were fully satisfied on 4 May 2018, when the subject's father registered his ownership of the vehicle. The last payment was made on 15 August 2017.

100. According to the PSA, the subject registered usufruct rights over this vehicle on 6 June 2014. In the Declarations submitted to the National Integrity Commission (hereinafter, "NIC") from 2013, the subject began to declare the use of this vehicle. He continued to do so up to and including the declaration to the NIA for 2018.
101. All mandatory internal road use insurance policies (hereinafter, "RCAI policy") within the lease appear to have been contracted by the subject, and the subject is registered as the primary beneficiary of these policies during this period.
102. The available casualty & collision (hereinafter "CASCO") insurance policies either expressly indicate the subject as the primary beneficiary or cover the subject on a secondary basis.
103. All seven registered mandatory external road use insurance policies (hereinafter "RCAE policy *carte verde*") in the period 2014 – 2017 were contracted by the subject. The earliest of these on record is dated July 2014. The subject was the primary beneficiary of these policies.
104. Data from the National Auto Transport Agency (hereinafter, "ANTA") also indicate that during the lease term, the vehicle underwent an annual mandatory safety review conducted by the subject, with the requisite fees and the national road use tax paid by him.
105. Throughout the rounds of questions, the subject consistently confirmed that he was the primary user of this vehicle. However, he argued that he only paid for the initial down payment of the lease and the difference between his father's financial ability and the monthly lease rate. He also consistently argued that this vehicle was jointly used by him and his father, and his father was the actual beneficial owner.
106. While the subject's father was a beneficiary of the CASCO policies over this vehicle, he was not registered as a beneficiary of the RCAI policies over this vehicle during the lease. These latter policies were, owing to their advantageous pricing, valid only for the specified persons. The subject's brother was consistently registered as a secondary beneficiary, and, on one occasion, the brother's wife, but never the subject's father. If the father really was expected to drive the Mitsubishi, it would make little sense not to insure him. The fact that he wasn't insured suggests the subject's explanation is unlikely.
107. The subject's father also currently owns two other vehicles, both acquired prior to the lease of the Mitsubishi. On 10 September 2003, the subject's father

registered ownership of the vehicle model Moskvici 312 m/y 1991, which he has formally owned to the present day, but it does not appear to be in use. On 20 July 2012, the subject's father registered ownership of the vehicle model Dacia Logan, m/y 2007, which he continues to own to the present day. The subject's father maintained valid RCAI policies for the latter vehicle from 2013 to the present.

108. During the hearing, the subject declared that the Moskvici 312 m/y 1991 was sold for parts. While this may be true, the subject did not present any confirmatory evidence, and the Commission has no means of verifying these declarations. As regards the Dacia Logan m/y 2007, the subject confirmed that it remains in use to this day and is exclusively for household purposes, including activities related to his father's individual agricultural enterprise (*gospodărie țărănească*).
109. The subject's father did not have sufficient financial capacity to pay for the monthly lease rates. The subject's parents incurred positive balances in financial flows of only approximately 119,000 MDL during the lease period. The monthly lease rates and the CASCO policies following the initial downpayment amounted to 427,956 MDL.
110. It would therefore seem that the subject's father could not pay for the vehicle, did not require it, and did not use it during the lease. After the lease was paid, there were indications that the subject's father began using it. When it was sold in 2019, the subject failed to report the income to NIA and consistently stated to the Commission that the sale proceeds remained with his father. Crucially, however, this vehicle was sold only after the subject acquired another vehicle. The above suggests that the subject acquired the vehicle, paid the lease, and permitted his father to use it while he was searching for another vehicle.
111. Hence, the Commission attributed all expenses related to the acquisition of this vehicle in the period 2013-2017 to the subject's outgoing financial flows.

### **C.3. International bank transfers from former parents-in-law**

112. In 2016, the subject received 2,350 EUR from his former parents-in-law, confirmed by relevant banks. According to the subject, these funds were to be provided to his daughter. In addition, in 2015, 2016, and 2018, the subject's daughter received a total of 850 EUR from the subject's former parents-in-law. In the first round of questions (question 3), the subject explained that his daughter had set aside the preceding transfers and that they were used

beginning in 2020. The Commission therefore treated these as such and addresses this possibility below.

113. In 2013-2017, the subject's former wife further received 2,850 EUR from her parents, as confirmed by the relevant banks. The subject was initially unaware of the exact amounts received but has consistently maintained that his former wife used these funds for her own expenses. Accordingly, these sums were treated as incoming financial flow for the years in which they were received.

#### **C.4. Possible financial support for the subject's daughter**

114. The subject's daughter purchased three vehicles: Citroen C4 Cactus m/y 2014 in December 2020 for 160,000 MDL, Citroen DS3 m/y 2012 in February 2021 for 100,000 MDL, and Renault Captur m/y 2015 in September 2022 for 120,000 MDL.
115. The apparent lack of funds available to the subject's daughter at the time of these acquisitions, and the consistent transfers of funds from the subject's former wife to the daughter's accounts, raised concerns that the subject acquired these vehicles. This prompted the verification of whether the subject may have, in fact, acquired the vehicles by using his daughter as a registered owner.
116. The subject provided documents indicating that his daughter had at least 3,200 EUR and 6,000 USD available in December 2020.
117. The sum of 3,200 EUR (2,350 EUR+850 EUR) was provided over the years 2015, 2016, and 2018 by the subject's former parents-in-law. These were received via international bank transfers to the subject and his daughter, as addressed at §§ 112-113 above. The subject was consistent in his assertions that transfers from former parents-in-law to him and his daughter were set aside by his daughter as cash savings. These sums were therefore considered in determining the daughter's capacity to purchase the above-noted vehicles.
118. The sum of USD 6,000 was substantiated by documents evidencing that the subject's daughter participated in the work & travel program in the Summer of 2016. She worked as a sales representative and a waiter in Myrtle Beach, South Carolina, USA. Tax forms reflect the daughter's net income of USD 3,700. The subject further pointed to the well-known practice of cash tips, which result in significant income in the service industry in the USA. In all, the subject argued that his daughter returned to Moldova in Autumn 2016 with 6,500 USD and later received some 700 USD from the retrieval of taxes paid, providing confirmation thereof.

119. The subject also estimated expenses for participation in the program at 10,000 MDL in organizational costs, 500 USD for airfare, and 150 USD for accommodations. Considering the subject's transparency in this regard, his consistency in explanations and figures, and the documents provided, the Commission accepts that the subject's daughter could have had at least 6,000 USD available from her participation in the work & travel program in 2016.
120. The subject provided sufficient evidence that funds were indeed received. The possibility that these were set aside during the daughter's university years is supported by her failure to acquire any goods that the Commission could identify. This is further supported by the continued dependency on the subject's household until the end of 2019, which the Commission reflected in its calculations. Further support for this possibility is provided by the daughter's habit of keeping savings in cash rather than in bank deposits. This is reflected in 2022-2024, when her household maintained savings financed by cash wedding donations, which she declared to the NIA.
121. Together with the sale of prior vehicles, the receipt of approximately 5,000 MDL/month from her activity as a trainee lawyer and her future husband's income, the daughter's household appears to have had sufficient funds to cover the lifestyle expenditures identified in the bank accounts, alongside the purchases of these vehicles.
122. The Commission further identified that the subject's former wife transferred 64,560 MDL in 2021 and 97,003 MDL in 2022 to unidentified third parties. Many of these bank transfers were confirmed to have been received by the subject's daughter by identifying equal amounts credited to the same dates in her accounts. While it remains possible that the subject's household could have provided additional financial support in cash, the Commission cannot reliably reach this conclusion. These transfers show consistent financial support, but on their own, the subject's household was in a position to absorb these expenses. Accordingly, doubts in this regard were also mitigated.
123. Other doubts regarding the daughter's financial capacity were raised by the son-in-law's acquisition of an apartment in December 2020 through a mortgage. The concern arose from the apparent inability of the daughter's household to absorb the monthly mortgage payments. These concerns were mitigated by documents attesting to significant monthly bank transfers of funds to unidentified third parties and to similar cash withdrawals by the son-in-law's mother; the legal guarantee of the mortgage by the son-in-law's parents; and signed declarations confirming financial support from the latter. The conclusion of the mortgage a year and a half prior to marriage

with the subject's daughter further mitigated remaining concerns. Owing to the above circumstances, the Commission did not extend financial control to the son-in-law's parents.

#### **C.5. Possible repairs for vehicle model Hyundai Coupe m/y 2012**

124. According to the sale-purchase contract of 4 May 2021, the subject's former wife acquired the vehicle model Hyundai Coupe m/y 2012 for 30,000 MDL. She sold this a couple of months later for 10,000 MDL pursuant to the sale-purchase contract of 13 September 2021.
125. According to information from the customs authority, this vehicle was imported in 2017 at a value of 91,375 MDL. There is no evidence that its value decreased or increased significantly thereafter.
126. In the first round of questions (question 26), the subject underlined that the purchase and sale of this vehicle was his former wife's unilateral decision. On 13 September 2021, the succeeding owner of this vehicle, M.R., acquired it through a loan from a leasing company, for which the value was ascertained at 9,182 USD. The vehicle itself secured a loan with a total repayment of 13,347 USD.
127. In the second round of questions (question 28), the subject explained that the actual buyer of this vehicle was C.M. (not M.R.) and provided a declaration dated 31 August 2021 by this individual at the purported time of purchase, on 31 August 2021, according to which the purchase price was 5,000 EUR.
128. The sale-purchase contract of 13 September 2021 partially confirms the subject's explanations, as this vehicle was indeed sold by the subject's former wife to M.R. by C.M., acting on the former wife's behalf under a power of attorney.
129. The subject explained that the vehicle required major repairs, which were discovered after purchase, and instead of these significant investments, the subject's former wife sold the vehicle.
130. The circumstances of the purchase, the subsequent revelation of severe deficiencies, and the circumstances surrounding the sale make it more probable that the subject's former wife incurred a financial loss because of this endeavor. The value of the vehicle at sale suggests that it was also acquired for a similar price (about 5,000 EUR). Notably, when the subsequent owner registered ownership, the vehicle was appraised by a professional vehicle leasing agency at more than 9,000 USD.

131. In the first round of questions (question 26), the subject mentioned that his former wife identified major faults with the vehicle only after the purchase, requiring repairs for the engine and gearbox. This suggests that the subject's former wife was unaware of these defects at the time of purchase and therefore paid full market value for the vehicle. During the hearing, the subject confirmed the necessity of repairs to the engine and gearbox which he described as dangerous in terms of security. According to the subject, C.M. possibly fixed the defects and covered the repairs expenses to make a profit from the sale. To support this, the subject provided a written declaration dated 2 December 2025 and signed by this individual.
132. While the matter remains somewhat uncertain, as the vehicle could have been improved since its import into the country (in the period 2017-2021) and the subject's former wife could have purchased it for more than 5,000 USD, or the subject's household could indeed have incurred repair costs itself, these remain suppositions. The Commission could not find any indications or evidence to contradict the subject's explanations and documents.

#### **C.6. Inexplicable wealth for 2014-2017**

133. The initially identified negative balance between incoming and outgoing financial flows of 229,728 MDL in 2014-2017 was caused by the attribution of approximately 500,000 MDL in expenses related to the acquisition and use of the Mitsubishi Outlander (lease rates, CASCO premiums, road taxes, RCAI and RCAE policies *carte verde*, maintenance and fuel expenses). This balance was also caused by the exclusion of cash savings from the end of 2012. As set forth at §§ 90-98 and 99-111 above, doubts regarding these issues persist.
134. However, as the former wife formed a component of the subject's household until 2024 and as the subject's explanations ultimately lacked any contradictions, the Commission attributed to the subject's incoming financial flows 50,058 MDL (2,550 EUR) received in international bank transfers by his former wife in the period 2014-2017. The resulting negative balance between financial flows for the period 2014-2017, therefore, decreases to 179,670 MDL.
135. Even if the total negative balance identified for 2014-2017 was treated as unjustified wealth, it would not exceed the threshold of 234,000 MDL under Article 11 para. (3) let. a) of Law No. 252/2023.

**VI. Conclusion**

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

**VII. Further action and publication**

137. 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's result on its official website on the same day.

138. 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.

139. 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.

140. This evaluation report was approved by unanimous vote of the Panel members on 20 January 2026 and signed pursuant to Articles 33 para. (2) and 40 para. (5) of the Rules.

141. Done in English and Romanian.

Andrei Bivol

Chairperson of the Commission

Chair of Panel C