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EVALUATION REPORT

approved according to Article 40

of the Rules of Organization and Functioning

DMITRII FUJENCO

judge of South Court of Appeal

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

23 September 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 16 September 2025 and approved the following report on 23 September 2025. The members participating in the approval of the report were:

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

Since there was no unanimous vote among the panel members assigned to evaluate the subject, the evaluation report was examined by the full Commission in accordance with Article 17 para. (3) of Law No. 252/2023.

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. Dmitrii Fujenco, (hereinafter the “subject”) a judge of the South Court of Appeal.
2. The Commission conducted its evaluation pursuant to Law No. 252/2023 and the Commission’s Rules of Organization and Functioning (hereinafter “Rules”).
3. The Commission concluded that the subject does not meet the criteria identified in Law No. 252/2023 for financial integrity.

II. Subject of the Evaluation

4. Since 2018, the subject has served as a judge at the Comrat Court of Appeal. On 27 December 2024, this court merged with the Cahul Court of Appeal,

resulting in the establishment of the South Court of Appeal. Since then, the subject has served as a judge at the newly created court.

5. Between 2007-2018, the subject was a judge at the Cahul District Court.

III. Evaluation Criteria

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

7. 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."

8. 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."II

9. 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 Judges;
- 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.
10. 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.
 11. 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.
 12. 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.
 13. In assessing a subject's compliance with the ethical and financial integrity criteria, the Commission applies the rules and legal regime that were in effect when the relevant acts occurred.
 14. 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.
 15. Regarding the standard of "serious doubts" in the context of the vetting exercise, the Constitutional Court noted, concerning its previous decisions, that the definition of standards of proof inevitably involves using flexible texts. The Court also said that the Superior Council of Magistracy can only decide not to promote a subject if the report examined contains "confirming evidence" regarding the non-compliance with the integrity criteria. The word "confirms" suggests a certainty that the subject does not meet the legal criteria. Thus, comparing the wording "serious doubts" with the text "confirming evidence", the Court considered that the former implies a high probability without rising to the level of certainty (Constitutional Court Judgement No. 2 of 16 January 2025, §§ 99, 101).

16. 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

17. On 18 October 2024, the Commission received the information from the Superior Council of Magistracy under Article 12 para. (1) of Law No. 252/2023. The information included the subject as a judge of the South Court of Appeal.
18. On 7 November 2024, the Commission notified the subject and requested that he completes and returns the ethics questionnaire and the declarations as provided in Article 12 para. (3) of Law No. 252/2023 within 20 days from the date of notification (hereinafter these declarations are referred to as the “five-year declaration”). The subject returned the completed five-year declaration on 27 November 2024.
19. On 13 December 2024, the Commission notified the subject that his evaluation file had been randomly assigned to Panel A, which includes members Andrei Bivol, Lilian Enciu, 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.
20. 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-the-year availability of the tax declarations and declarations on wealth and personal interests, the financial criteria evaluation period included 2012-2023 and 2014-2023. The evaluation period for the ethical criterion includes the past five or ten years, calculated backward from the date of the notification.
21. 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.
22. The Commission sought and obtained information from numerous sources. No source informed the Commission about later developments or any

corrections regarding the information provided. The sources asked to provide information on the subject included the General Prosecutor's Office, the Anti-Corruption Prosecutor's Office (hereinafter "APO"), the Prosecutor's Office for Combating Organized Crime and Special Cases (hereinafter "PCCOCS"), the Ministry of Internal Affairs, the National Anticorruption Center (hereinafter "NAC"), 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 (Comerțbank JSC, Energbank JSC, EuroCreditBank JSC, Eximbank JSC, Moldincombank JSC, MAIB JSC, Victoriabank JSC, Banca de Finanțe și Comerț (FincomBank) JSC, OTP Bank JSC, Banca Socială JSC, Banca de Economii JSC), the 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 were received from civil society. All information received was carefully screened for accuracy and relevance.

23. Before approving its report, the Commission asked the General Prosecutor's Office, APO, PCCOCS, and NAC to confirm that there were no changes in their previous responses. All four institutions responded.
24. On 20 March 2025, the Commission asked the subject to provide additional information by 30 March 2025 to clarify certain matters (hereinafter the "first round of questions"). On 28 March 2025, the subject requested an extension, which the Commission granted. The subject provided answers and documents within the extended deadline.
25. On 16 April 2025, the Commission asked the subject to provide additional information by 28 April 2025 to clarify certain matters (hereinafter the "second round of questions"). On 25 April 2025, the subject requested an extension, which the Commission granted. The subject provided answers and documents within the extended deadline.
26. On 16 May 2025, the Commission asked the subject to provide additional information by 25 May 2025 to clarify certain matters (hereinafter the "third round of questions"). The subject provided answers and documents within the deadline.
27. On 30 May 2025, the Commission asked the subject to provide additional information by 5 June 2025 to clarify certain matters (hereinafter the "fourth

round of questions”). The subject provided answers and documents within the deadline.

28. On 10 June 2025, the Commission notified the subject that it had identified some areas of doubt about the subject’s compliance with the financial and ethical criteria and invited him to attend a public hearing on 20 June 2025. The subject was also informed that the evaluation report may refer to other issues considered during the evaluation.
29. 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 12 June 2025.
30. On 18 June 2025 the subject submitted additional explanations and documents. The Commission included them in the evaluation file and considered them in its analysis.
31. On 20 June 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 did not have any corrections or additions to the answers previously provided to the Commission’s requests for information.
32. After the hearing, on 25 June 2025, the subject submitted additional documents. On 7 July 2025, the subject provided a summary of previously submitted arguments along with certain clarifications regarding those arguments. The Commission included them in the evaluation file and considered them in its analysis.
33. On 17 July 2025, at the subject’s request, the Commission heard the subject’s brother-in-law in a closed session.
34. In the deliberation, Panel A could not reach a unanimous decision. Therefore, under Article 40 point (3) of the Rules, Panel A referred the evaluation of the subject to the Commission. The subject was informed about this and about the right to be heard before the full Commission. On 15 August 2025, the subject communicated his intention to be heard by the full Commission.
35. On 20 August 2025, the Commission asked the subject to provide additional information by 28 August 2025 (hereinafter the “fifth round of questions”). This request was submitted to clarify certain matters concerning potential conflicts of interest, which had been identified at a later stage. The subject submitted his answers and supporting documents within the deadline.

36. On 5 September 2025, the Commission invited the subject to a hearing on 16 September 2025, to discuss the doubts communicated in the hearing notification of 10 June 2025. The hearing took place on the scheduled date and time.
37. During the hearing, the subject requested that the approval of the report be postponed until the subject submitted material to be prepared by a forensic accounting expert. On 17 September 2025, the Commission informed the subject that the approval of the report would not be postponed, particularly because this request was raised on the day of the hearing before the full Commission, although the doubts had been notified on 10 June 2025. Furthermore, the Commission noted that, pursuant to Article 17 para. (3) of Law No. 252/2023, the deadline for approving the report expires on 24 September 2025.

V. Analysis

38. This section discusses the relevant facts and reasons for the Commission’s conclusion.
39. 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. potential ethical breaches related to decisions issued by the subject;
 - c. difference between the assets, expenses, and income (hereinafter “unjustified or inexplicable wealth”).

A. Compliance with the conflict-of-interest regime

40. The Commission has identified two instances that warranted scrutiny for possible conflicts of interest involving the subject in his capacity as a judge at the Comrat Court of Appeal and the Southern Court of Appeal.

The case involving a possible relative of the subject’s father-in-law

41. On 14 July 2020, a panel of the Comrat Court of Appeal, presided over by the subject, issued a decision dismissing an appeal on points of law and upholding the ruling of the first instance court, which returned for lack of jurisdiction the application under Article 170, para. (1), lit. (b) of the Code of Civil Procedure.

42. The case involved a public entity and multiple defendants, including an individual, C.C.I., whose identity raised concerns about a potential familial connection to the subject's father-in-law, specifically as a possible brother.
43. C.C.I. has the same surname and patronymic as the subject's father-in-law; both were born in the same locality, their parents share the same names; and C.C.I. was born in 1953, four years after the subject's father-in-law's birth (1949).
44. In the fifth round of questions, the subject unequivocally denied that C.C.I. is the brother or otherwise related to his father-in-law. He noted that prior to examining the case, he contacted his father-in-law by telephone to verify whether any connection existed, and the father-in-law confirmed the lack of any familial relationship. Consequently, the subject found no grounds to consider recusal and did not inform the parties of any connection.
45. The PSA informed the Commission that it could not establish any familial relationship between subject's father-in-law and C.C.I. The Cîșlița-Prut Mayor's office also did not identify such a relationship. Their answer indicated that the citizens referred to in the inquiry do not currently reside in Cîșlița-Prut village.
46. While the coincidence of surname, patronymic, place of origin, and proximity of birth years could reasonably give rise to suspicion of a potential conflict of interest, the subject's clarification, together with the PSA's findings, dispels such concerns. The Commission determines that no conflict of interest was present in this case.

The case involving a former prosecutor related to the subject

47. In 2010, Cahul District Court convicted I.D., sentencing him *in absentia* to seven months' imprisonment and ordering pecuniary damages, while recognizing an amicable agreement among his accomplices, resulting in lesser sentences. In 2024, the I.D.'s defense attorney appealed the 2010 sentence. On 2 May 2025, a panel of the Southern Court of Appeal, with the subject's participation, dismissed the appeal as time barred.
48. The Commission identified that, in 2010, the acting prosecutor in the first instance was a person closely related to the subject, namely his wedding godson. The subject has previously recused himself in other cases where this person represented parties as an attorney, citing potential concerns regarding impartiality.
49. In the fifth round of questions, the subject confirmed the spiritual kinship with this individual as of 2010. According to the subject, he was unaware of

his godson’s involvement as a prosecutor, as the casefile from 2010 had been destroyed after the retention period, and only the sentence was available. The subject did not notice his godson’s name in the sentence’s heading, focusing instead on confirming that the 2010 sentence was not issued by him and that his godson was not involved as an attorney in the appeal. Similarly, the subject did not inform the parties of his relationship with the former prosecutor, deeming it irrelevant given his godson’s lack of involvement in the appeal and his resignation from the prosecutor’s office in 2015. The subject explained that he recused himself in other cases where his godson acted as an attorney, as his participation could raise reasonable doubts about impartiality. In contrast, in this case, the involvement of the godson as a prosecutor in 2010 did not affect the subject’s impartiality, as the godson had no ongoing interest in the case.

50. The Commission notes that the subject’s godson resigned from the prosecutor’s office in 2015. The 2025 appeal was dismissed on procedural grounds, specifically due to the expiration of time limits. The former prosecutor was not involved in the appeal process. The Commission concludes that no conflict of interest existed in this matter.

B. Potential ethical breaches related to the decisions issued by the subject

51. The Supreme Court of Justice (hereinafter “SCJ”) recently quashed two decisions issued by the former Comrat Court of Appeal in cases involving the subject. In the first case, the decision was characterized as arbitrary.¹ In the second case, although the SCJ did not use such strong language, its reasoning contains multiple critical observations.²
52. Considering these circumstances, the Commission examined both cases for potential breaches of ethical integrity. The procedural history of the two cases and the findings of the national courts are briefly listed below, followed by the Commission’s conclusions regarding the applicability of the ethical integrity criteria set forth under Law No. 252/2023.

Omission to impose the complementary sanction of license withdrawal

53. The defendant, while reversing his car, struck a cyclist. The cyclist sustained serious injuries and later died. The defendant fled the scene without notifying the authorities.

¹ [search_col_penal.php](#)

² [search_col_penal.php](#)

54. On 1 March 2022, the Cimișlia District Court found the defendant guilty under Articles 264 para. (3) (negligent driving resulting in death) and 266 of the Criminal Code (fleeing the scene). The court imposed 3 years imprisonment in an open-type prison, withdrawal of the right to drive, and awarded moral and material damages to the victim's family.
55. On 2 November 2022, the Comrat Court of Appeal, with the participation of the subject, upheld the conviction under Article 264 para. (3) of the Criminal Code, replaced imprisonment with a suspended sentence (probation) and dismissed the Article 266 charge due to the expiration of the statute of limitations. The Court did not apply the complementary sanction of license withdrawal. The Court of Appeal relied on Article 79 para. (1) of the Criminal Code which establishes that courts may not apply a certain complementary mandatory sanction in exceptional cases. The Court of Appeal noted the following mitigating circumstances: no prior criminal record; two dependent minor children; the defendant expressed remorse; and the defendant was registered with chronic alcoholism.
56. On 6 March 2025, the SCJ acknowledged the Court of Appeal's power to reduce or suspend sanctions under Article 79 para. (1) Criminal Code, but only in exceptional circumstances. The SCJ found that the mitigating factors cited by the Court of Appeal were not exceptional, especially because the accused fled the scene of the accident; he made no effort to compensate the victim's family; and the finding of "remorse" was not supported.
57. SCJ emphasized that the complementary penalty (license withdrawal) under Article 264 para. (3) is mandatory, and the Court of Appeal did not provide reasoning for omitting it. Therefore, it acted arbitrarily. SCJ also noted that the defendant's registration with chronic alcoholism should have supported applying the complementary penalty, instead of omitting it.

Requalification of the conduct of one accused and sentence reduction for the other

58. On 24 April 2016, I.S. and V.C. allegedly severely beat two individuals suspected of attempted burglary. Both victims died shortly after.
59. On 28 December 2016, Cahul District Court found both I.S. and V.C. guilty of aggravated murder under Article 145 para. (2) Criminal Code and sentenced them to 17 years in prison. The court emphasized direct intent, extreme cruelty, targeting vital organs, and deliberate concealment of the crime. Civil damages were also awarded to the victims' families.

60. On 11 November 2019, the Comrat Court of Appeal (without the subject's participation) upheld the convictions, with a partial sentence reduction for V.C.
61. On 8 September 2020, the SCJ annulled the decision and sent the case back for retrial, citing deficiencies in the reasoning of the appellate court's decision. Among other things, the SCJ noted.
 - a) Superficial dismissal of the defense's arguments, particularly regarding lack of prior agreement.
 - b) Exclusive reliance on prosecution evidence, without addressing or rebutting defense evidence.
 - c) Lack of consideration of psychological and behavioral elements concerning I.S., including signs of trauma and shock.
 - d) Lack of objective analysis of both the expert report and I.S.'s testimony regarding "the self-defense mechanism triggered under prolonged psycho-traumatic conditions and activated as a result of the assailant's provocation."
62. On 28 December 2021, in its capacity as the court of retrial, the Comrat Court of Appeal, with the participation of the subject, requalified I.S.'s actions as facilitation of crime under Article 323 para. (1) of the Criminal Code and sentenced him to 2 years imprisonment, already served. According to the Comrat Court of Appeal reasoning, when the blows were inflicted, I.S. was not aware that his actions could result in the victim's death, as supported by the expert declarations made during the hearing that I.S. acted 70% unconsciously. V.C.'s sentence was reduced due to alleged poor detention conditions.
63. On 10 March 2025, the SCJ annulled the decision issued with the participation of the subject, stating, among other things, that:
 - a) The claim that I.S. acted "70% unconsciously" was undermined by the expert's clarifications provided during the hearings before the SCJ, according to which the accused retained awareness of his actions.
 - b) The laws of the Republic of Moldova do not recognize partial unconsciousness as a basis to downgrade murder.
 - c) I.S.'s motivation was found to be revenge, not distress.
 - d) Both accused gave mutually exclusive statements, undermining their credibility.

- e) SCJ concluded that both defendants were responsible for the lethal blows.
- f) SCJ found no sufficient basis for reducing V.C.'s sentence on the grounds of detention conditions, as no individualized evidence was submitted in support of this claim.

The Commission's assessment

64. With respect to the first case described above, the SCJ noted that the failure to provide adequate reasoning for the decision not to impose the mandatory complementary penalty constituted an arbitrary act. However, the Commission emphasizes that the notion of "arbitrariness", as applied by the SCJ under Article 427 para. (1) pt. 6 of the Criminal Procedure Code is based on a different test and serves different purposes than the notion of "arbitrariness" considered by the Commission under Article 11 para. (2) of Law No. 252/2023 and cited above under § 7.³
65. Although the SCJ criticized the judgment issued by the appellate panel in strong terms, its findings were made in the context of assessing the legality of the decision and did not amount to a determination of ethical misconduct as defined by Law No. 252/2023. The criterion of arbitrariness under Article 11 para. (2) lit. a) of Law No. 252/2023 is not met, as the law expressly requires that the ECtHR must have previously ruled that a similar decision violated the Convention prior to the issuance of the act. In this case, there appears to be no judgment of the ECtHR that corresponds to the specific factual and legal circumstances under review.
66. In the second case, the SCJ did not explicitly state that the decision issued by the panel, which included the subject, was arbitrary. Such a conclusion may only be inferred implicitly from the SCJ's reasoning. However, with respect to this case as well, the Commission did not identify any judgments in which the ECtHR found that similar conduct violated the Convention. The ECtHR generally affords a wide margin of appreciation to national courts regarding the selection of appropriate sanctions in cases involving ill-treatment or homicide. Nonetheless, it exercises a limited power of review and may intervene where there is a "manifest disproportion" between the offense committed and the penalty imposed. The cases in which the ECtHR found such "manifest disproportion" are cases in which individuals were found

³ Under Article 427 para. (1) pt. 6 of the Criminal Procedure Code, an appeal on points of law is admissible if the judgment is arbitrary or is based primarily on a manifestly unreasonable assessment of the evidence.

guilty of serious offences but given excessively light punishments (*Armani Da Silva v. the United Kingdom* [GC], 30 March 2016, § 285).

67. The Commission did not identify any ECtHR judgment in which similar conduct, *i.e.*, the requalification of a homicide charge based on partial psychological incapacity, was found to violate the Convention.
68. Failing to meet the “arbitrary behavior and arbitrary acts” criterion under Article 11 para. (2) lit. (a) of Law No. 252/2023 does not entail an automatic reclassification of the conduct into the separate category of “serious ethical breach” under the same article. These are distinct legal grounds, each subject to independent evidentiary and normative thresholds.
69. A serious ethical breach implies conduct that, while not amounting to arbitrariness, still reflects a serious violation of ethical standards, such as impartiality, integrity, or independence, with significant impact on public confidence in the judiciary. In its Judgment No. 2 of 16 January 2025, the Constitutional Court has clarified that the term “seriously violated” sets a high threshold for establishing breaches of ethical and professional rules applicable to judges. Additionally, the Court has noted that the Commission may rule only on violations of ethical and professional conduct rules, without making any determination regarding the legality of the respective judgments (§§ 154, 185).
70. As noted in its previous practice, *Andrei Mironov* (Report of 12 June 2025), the Commission considers that the subject’s decisions are more indicative of professional error or competence issues than of a serious violation of ethical standards as required under Article 11 para. (2) lit. a) of Law No. 252/2023.
71. In this context, the Commission observes that, in the case concerning the non-application of the sanction of withdrawal of the right to drive, the Supreme Court of Justice issued an interlocutory ruling referring the matter to the Judicial Inspection, citing the “seriousness of the error committed by the judges.” Therefore, it falls within the competence of the specialized bodies tasked with assessing judicial professionalism to determine the nature and gravity of the actions in question and, where appropriate, to apply proportionate sanctions.

C. Inexplicable wealth

72. Following the assessment of all available information and considering the subject’s explanations, the Commission identified inexplicable wealth in the years 2012, 2013, 2015, and 2017.

73. However, during the evaluation, the Commission also identified and examined several additional aspects—such as large-scale loans and donations—which could have affected the calculation of inexplicable wealth in other years as well. The subject, however, provided sufficient evidence to dispel the initial doubts in those instances. These aspects will be outlined below.
74. After presenting these mitigating aspects, the Commission will clarify certain issues that significantly affect the calculation of inexplicable wealth for the years in which it was identified. Once these issues are addressed, a yearly assessment of the subject’s household income and expenses will follow.
75. To facilitate the readability of the report, the Commission will present the relevant considerations in two distinct sections entitled: (1) mitigated inexplicable wealth issues and (2) assessment of identified inexplicable wealth.

1. Mitigated inexplicable wealth issues

1.1 Income declared as earned by the subject’s daughter abroad

76. In his 2019–2021 NIA declarations, the subject reported that his daughter received the equivalent of 987,000 MDL from a combination of educational grants and employment income in Denmark. The declared grants amounted to 40,380 MDL in 2019, 8,400 EUR in 2020, and 8,064 EUR in 2021. Additionally, the subject declared income earned by his daughter through employment in Denmark, totaling 35,590 MDL in 2019, 9,720 EUR in 2020, and 18,413 EUR in 2021.
77. In the first round of questions, the subject stated that the income from educational grants was not used within the Republic of Moldova. The subject also confirmed that he did not receive any loans or donations from his daughter.
78. The subject submitted Danish fiscal forms, confirming the receipt of income by his daughter. He further explained that she qualified for an EU-wide student financing program, which required enrollment in a full-time university program and part-time employment. Documentation from the Danish Ministry of Education confirmed eligibility and payment of these funds. The subject also submitted bank statements confirming receipt of student grants and employment income.

79. The Commission found no indication or evidence of the subject's financial involvement in his daughter's living and educational expenses abroad. No other integrity concerns were identified in relation to this.

1.2 Receipt of two substantial loans from two natural persons

80. In the 2021 NIA declaration, the subject declared a loan of 60,000 EUR (equivalent to 1.255.000 MDL) from V.G. The loan was interest-free with repayment due by 2026.

81. In the first round of questions, the subject provided a copy of a written loan agreement dated 17 July 2021, which stated that the funds were delivered in cash and set the repayment date as 31 December 2026. The subject explained that he had known V.G. for approximately 30 years, dating back to their university years, and that V.G. is a businessman in the agricultural sector. In the second round of questions, upon the Commission's request, the subject submitted a detailed repayment schedule.

82. According to data from the SFS, V.G. earned 4,116,127 MDL during the three years preceding the loan (2018–2020), and 16,463,071 MDL in 2021 – the year the loan was issued. At the same time, the Commission identified the following significant acquisitions by V.G.

83. Between 2017 and July 2021, V.G. purchased two vehicles: (1) a 2011 BMW X6 (acquired in 2017 and sold in April 2021); and (2) a 2012 Dacia Duster (acquired and sold on the same day in 2020).

84. In 2020, V.G. acquired a land plot and a house in Bălți. In March 2021, he acquired an apartment and a 2 sq.m. storage unit in Chișinău. In April 2021, he purchased another apartment in Chișinău through a lease agreement. In 2022, he acquired 91% of a parking lot totaling 1,703 sq.m., which he sold the same day.

85. While the Commission found that V.G. had sufficient declared income to provide the loan, it also took note of his concurrent purchases and the fact that the contract involved a cash transfer. Therefore, the Commission inquired V.G. on the following:

a) Regarding his relationship with the subject, V.G. confirmed that they have known each other since university. He stated that he voluntarily offered to assist the subject, considering both his financial means and the subject's impeccable reputation and ownership of real estate that could serve as security for repayment.

- b) With respect to the contract itself, V.G. indicated that the subject prepared the draft agreement. No separate cash handover receipt was prepared, as the contract included a clause confirming delivery of funds.
- c) V.G. submitted supporting documentation showing that, on 7 and 8 July 2021, he received dividends totaling 1,500,000 MDL. He also provided cash receipt slips and payment orders confirming receipt of this amount in cash on those dates.
- d) V.G. stated that the subject repaid him 660,000 MDL in 2022 and 205,600 MDL in 2024.
86. Additionally, the subject explained that he intended to reimburse an additional 200,000 to 240,000 MDL to V.G. in 2025 and provided proof of the availability of funds in his bank account.
87. Having assessed the documentation and explanations submitted by both the subject and the lender, V.G., the Commission finds the loan transaction to be credible. It may be questionable for a court of appeal judge to receive a 0% interest loan from close friends with a five-year term of repayment and in an amount that exceeds the subject's own annual income by five times in the year in which the loan was granted. However, the Commission did not, in this conduct, establish any lack of integrity within the meaning of Article 11 para. (3) of Law No. 252/2023. Separately, no impropriety in the subject's judicial conduct arising from his ties to the lender was identified.
88. In a supplementary explanation to the five-year declaration, the subject stated that he received a loan of EUR 15,000 (equivalent to 321,000 MDL) from another individual, V.B., on 14 July 2021. The subject clarified that the funds were received via bank transfer and that, following the sale of an apartment located on Moscova Boulevard, Chişinău, he reimbursed the loan in full, also via bank transfer. As the loan was short-term and repaid within the same calendar year, the subject considered that it did not fall within the reporting requirements of the annual declarations submitted to the NIA.
89. In the first round of questions, the subject described his relationship with V.B. in similar terms to those previously mentioned in relation to V.G., indicating a long-standing personal acquaintance. V.B. was identified as a businessman operating in the chemical cleaning industry. The subject submitted a written loan contract dated 14 July 2021, which confirmed his receipt of 15,000 EUR, with zero interest and a repayment deadline of 31 December 2021.

90. According to information obtained from the State Fiscal Service, V.B. earned a net income of 1,915,000 MDL over the three years preceding the loan (2018–2020), and an additional 288,000 MDL in 2021. These figures confirm V.B.'s financial capacity to extend the loan.
91. Furthermore, the Commission identified both the receipt and the repayment transaction on the subject's bank statement for the MAIB account ****6284. This statement indicates a transfer from V.B. to the subject of 321,000 MDL on 14 July 2021 and a transfer from the subject to V.B. of 321,000 MDL executed on 23 August 2021, consistent with the subject's explanation and the contractual terms.
92. Based on the evidence presented, including the written loan agreement, the subject's explanations, the lender's documented income, the term of repayment, and the clear traceability of the funds through official banking records, the Commission finds the loan to be credible. Regarding this loan transaction, the Commission sees no lack of integrity within the meaning of Article 11 para. (3) of Law No. 252/2023.

1.3 *Three donations from the subject's parents*

93. In his 2016 NIA declaration, the subject reported a donation of 250,000 MDL from his parents. The declaration reflected a discrepancy in which the numeric figure indicated 200,000 MDL, while the sum was spelled out as "two hundred and fifty thousand MDL" in parentheses. In response to the first round of questions, the subject clarified that the 200,000 MDL figure was a technical error made while completing the form.
94. The subject further explained that his parents provided the donation on his 40th birthday on 18 July 2016. He stated that it was offered solely at their initiative, absent of any request or urgent financial need on his part. The subject indicated that the funds were ultimately used in 2023 for the purchase of a vehicle. He submitted a typed and signed contract dated 17 July 2016.
95. In his 2020 NIA declaration, the subject reported receiving a second donation of 100,000 MDL from his parents. In the first round of questions, he explained that the funds were offered as a gift on his wedding anniversary on 2 October 2020, again at his parents' initiative and not in response to any specific financial need. Again, he submitted a typed and signed contract dated 2 October 2020.
96. In his 2022 NIA declaration, the subject reported a third donation of 660,000 MDL from his parents. The subject explained that this donation was likewise

offered at their initiative, without prior request or urgent financial requirement, but acknowledged that the funds were intended to assist in repaying the 60,000 EUR loan previously obtained from V.G. The subject provided a typed and signed donation contract dated 6 April 2022.

97. The Commission verified that all three donations were disclosed in the subject's respective NIA declarations.
98. The data received from SFS and CNAS confirmed that the subject's mother earned 1,000,679 MDL over the evaluation period, of which at least 691,446 MDL was received before the 2022 donation. The subject's father earned 1,743,510 MDL over the same period, of which 633,550 MDL was earned prior to 2022. Additionally, the subject submitted copies of contracts showing that his parents received 180,000 MDL from the sale of agricultural land in 2017.
99. To provide the 2016 and 2020 donations, the subject's parents would have had to use virtually all funds available. In reaching this conclusion, the Commission considered all sources of income available to the subject's parents and expenditures incurred in the period 2012 – 2020. The Commission considered: income, social security, and funds from the sale of property. And further: expenditures of 601,000 MDL in long-term investments into savings accounts, 350,000 MDL in donations provided to the subject, and approximately 621,000 MDL in urban CEP expenditures (the subject's parents lived in Taraclia city in the relevant period).
100. As a result, the Commission identified a negative balance of approximately 85,000 MDL between incoming and outgoing financial flows. Yet, as the subject's parents were pensioners at the beginning of the evaluation period and seemed to have had a rural household, the Commission admits a margin of error in CEP expenditures incurred by them. Accordingly, the Commission was required to find that to provide these donations, the subject's parents would have had to use all funds available to them during the period 2012–2020.
101. Regarding the 2022 donation of 660,000 MDL, the subject submitted documentation from CNAS confirming the disbursement of this sum. He also submitted a decision issued by the Chişinău District Court on 26 November 2020, granting his father's request and ordering CNAS to recalculate his pension.
102. To verify the availability of the cash amount at the time of the donation, the Commission submitted requests to CNAS and the "Posta Moldovei". In response, "Posta Moldovei" confirmed that on 5 April 2022, it transferred

660,181 MDL in cash to the subject's father, and on 5 May 2022, a further 15,648 MDL. These findings confirm that the sum of 660,181 MDL was withdrawn in cash one day before the donation contract was concluded.

103. While the Commission finds it peculiar that the subject's parents would provide all funds available to them in the period 2012 – 2020 to the subject, as well as provide all funds received from the father's pension recalculation, the Commission acknowledges the plausibility of these events. The donations were declared, the subject is an only child, and his parents appear to have had the financial capacity to provide these donations.

1.4 Potential beneficial ownership of an apartment in Comrat

104. In his five-year declaration, the subject reported holding, free of charge, the right to use an apartment located in Comrat as of 2021. The property was formally registered in the name of a third party, I.B. In his 2021 NIA declaration, the subject indicated that these rights were acquired in 2020. In contrast, during the first round of questions, the subject stated that he had been residing in the apartment since 2018, which coincides with the year of his appointment to the Comrat Court of Appeal in September 2018.
105. In the third round of questions, the subject acknowledged that he did not declare this property in his 2018–2020 declarations, attributing the omission to the belief that the apartment did not form part of his patrimony and was therefore not declarable under Law No. 133/2016. Once this misinterpretation was allegedly realized, he began to declare the apartment accordingly.
106. The subject stated that the apartment was offered by I.B., free of rent, under the condition that he would pay the utilities. He also noted a long-standing acquaintance with I.B.'s mother, V.A., from whom he frequently purchased fish at the Comrat market. The subject claimed he was invited to live in the apartment in late 2018, following his appointment to the Comrat Court of Appeal, and that the arrangement was indefinite in duration. The subject stated that he offered to pay rent, but this was refused. He also reported that the apartment was used only periodically, estimated at 5 months/year, 2 to 4 days per week.
107. Despite these assertions, the Commission found no utility service contracts in the subject's name for the apartment. Although the subject stated that he paid utilities from his MAIB bank account ending in *499, the transactions to service providers could not be linked definitively to the property in question due to the absence of a property address in the transaction descriptions. In the fourth round of questions, the subject provided evidence of multiple

utility payments for May–July 2024, citing technical limitations in retrieving earlier records. While the submitted transactions do not explicitly refer to the property address, the Commission considers the consistent pattern and multiplicity of payments over consecutive months sufficient to support, on a balance of probabilities, the subject’s assertion that he covered the utility costs associated with the apartment.

108. The Commission also notes that I.B. formally acquired the apartment in February 2018 via a sales-purchase agreement. While she owned other properties during the evaluation period, there were significant stretches during which the apartment appeared to be her sole real estate asset. In the third round of questions, the subject stated that I.B. allowed the subject to reside in this apartment because she lived with her mother in another house. They worked together and formed a common household. In the fourth round of questions, the subject noted that after I.B.’s mother died, I.B. asked the subject to leave the apartment so she could live there.
109. According to information from the SFS, during the period 2015–2023, both I.B. and her mother, V.A., lacked any officially declared income. In the explanations provided before the first hearing, the subject noted that V.A. had operated under an entrepreneurial patent. Pursuant to Law No. 93/1998 on Entrepreneurial Patents, holders of such patents are not subject to financial or statistical reporting obligations, nor are they required to maintain accounting records. The Commission analyzed this aspect and found that while V.A. held three entrepreneurial patents in the three years preceding the purchase of the property (2015–2018), their cumulative validity amounted to 11.5 months. The Commission also verified that the formal owner of the property, I.B., never held any entrepreneurial patent.
110. The subject also stated that he had no personal relationship with I.B. or her mother and emphasized that their financial matters should not be attributed to him. He claimed to have vacated the apartment in August 2024 and registered a rental agreement for another property in Cahul, paying 5,000 MDL/month.
111. The Commission finds that the absence of declared income by both the formal owner, I.B., and her mother raises reasonable questions regarding the origin of funds used for the acquisition of the property and the actual terms under which the subject was granted its use. Moreover, the Commission identified several elements that raised doubts concerning the relationship between the subject and the individuals in question—namely, the long-standing familiarity developed in the context of regular commercial interaction, with the subject describing himself only as a long-term client of

the owner's mother. According to the subject, this relationship ultimately led to his being offered the gratuitous use of the apartment.

112. Because I.B. was no longer alive, the Commission could not ask her why she offered the subject the free use of the apartment. It is also unclear whether I.B., before the subject was appointed to the Comrat Court of Appeal, offered the apartment to any other long-term clients.
113. Nonetheless, based on the available evidence, the Commission has not established that the subject exercised effective ownership over the apartment. In other words, the Commission was unable to conclude that the subject used the property without restriction, in a manner equivalent to ownership – especially given the eventual vacation of the apartment.

2. Assessment of identified inexplicable wealth (2012, 2013, 2015, and 2017)

2.1 Expenses related to daily maintenance and composition of the household

114. In estimating a subject's expenses related to daily maintenance, as per point 3.5 of the Annex to the Rules, the Commission employs the National Bureau of Statistics' (hereinafter "NBS") estimations of Consumption Expenditures for Population (hereinafter "CEP") to quantify expenditures for daily (non-declared) expenses. The CEP accounts for expenses such as rent/property, utilities, clothing, transportation, food, medication, household appliances, etc.⁴ The CEP was selected particularly due to the NBS' reliance on surveys of real expenses incurred by randomly selected individuals surveyed.

⁴ The CEP for any year between 2006-2018 is calculated based on National Bureau of Statistics (hereinafter "NBS") methodology, available on the NBS website [here](#). This link is reached from the home page of the NBS website following these steps (tabs): - *Statistics by theme – Society and social conditions – Living standard of population – Stat bank – Population expenditure – Discontinued series – Household expenditures (2006-2018, based on resident population) – Consumption expenditures of population by purpose of expenditures, number of children in household and area, 2006-2018.*

On the above link, the following variables were selected: *Year – Consumption expenditures total – Area (Urban/Rural) – Number of children (if no children, without children is chosen) – Lei, average monthly per capita for one person.* The generated result was multiplied by the number of family members and then was further multiplied by 12 calendar months.

The CEP for any year between 2019-2022 is calculated based on NBS methodology, available on the NBS website [here](#). This link is reached from the home page of the NBS website following these steps (tabs): - *Statistics by theme – Society and social conditions – Living standard of population – Stat bank – Population expenditure – Consumption expenditures of population by purpose of expenditures, number of children in household and area, 2019-2023.*

On the above link, the following variables were selected: *Year – Consumption expenditures total – Area (Urban/Rural) – Number of children (if no children, without children is chosen) – Lei, average monthly per capita for one person.* The generated result was multiplied by the number of family members and then was further multiplied by 12 calendar months.

Accordingly, the CEP communicates reliable data as to daily expenses incurred depending on demographic background, size of the household, and geographic location (urban/rural).

115. For calculating the CEP, the Commission determined that the subject's household consisted of four persons in 2012, 2013, and 2015 (the subject, his wife, and two children). For 2017, as the subject's daughter was temporarily living abroad for a student exchange program, the Commission calculated the CEP based on a household of four from January to July, and three from August to December.
116. In the fourth round of questions and during the first hearing, the subject contested the use of the CEP as established by the Commission based on NBS data. The subject explained that:
 - a) his family received substantial in-kind support—meat, eggs, fruits, and vegetables—from his parents-in-law, who operated an agricultural household located 5 km away. This, he argued, reduced their grocery expenses by one-third.
 - b) the clothing and footwear category were purchased in Romania at significantly lower prices.
 - c) no healthcare expenses were incurred during the assessed years, while all other expenses were allegedly kept to a minimum.
117. The Commission notes that similar arguments have been examined in its previous practice (see *Irina Iacub*, Report of 2 April 2024, §§ 67–80). This report was accepted by the Superior Council of Magistracy, and by its reasoned decision of 16 August 2024, the Supreme Court of Justice upheld the Council's findings, and implicitly, those of the Commission.
118. NBS methodology defines healthcare expenses as including the cost of medicine, medical devices, hygiene and sanitary products, and payments for medical services and hospital treatment.⁵ The Commission assessed these indicators with the assumption that the NBS methodology refers to an average individual benefiting from public medical insurance, and that the proportion of healthcare expenditures established by the NBS relates to services not covered free of charge by the state.
119. Furthermore, the Supreme Court of Justice emphasized that the Commission cannot be expected to have knowledge of the value of goods received

⁵ See pt. 3.2.1 here: [Structura metadatelor](#)

gratuitously or at prices significantly below market value. Accordingly, the burden rests with the evaluated person to provide a convincing justification for reducing consumption expenditures, considering the 12 categories of expenses used by the NBS (Decision of 16 August 2024, case of *Irina Iacub v. Superior Council of Magistracy*, § 60). In this case, the subject's arguments for the reduction of specific CEP categories are not supported by any substantive reasoning, corroborating documents, or clear figures for calculating the proposed reductions. In particular, the statements regarding reduced expenses for clothing and footwear are vague, general in nature, and rest entirely on subjective reasoning. Even assuming that clothing and footwear are indeed cheaper in Romania, such purchases would involve additional expenses related to transport, car and possibly health travel insurance, meals, and other incidental costs, which the subject did not account for.

120. Considering the subject's claim of not incurring expenses under certain CEP categories, the Commission recalls that the CEP is an aggregate indicator reflecting average consumption patterns across the population, not an itemized checklist of goods and services tailored to everyone's preferences. Each category is included to ensure statistical representativity, even if a given household does not consume specific items.
121. Moreover, the Commission demonstrated in the above-cited report that the expenditures calculated under the CEP methodology closely align with the subsistence minimum, thereby indicating that the method already includes a margin that reflects basic living conditions (*Irina Iacub*, Report of 2 April 2024, §§ 79).
122. Since 2018, the subject has served as a judge at the Comrat Court of Appeal (currently referred to as the Southern Court of Appeal), having previously held the position of judge at the Cahul District Court. In addition to judicial salary, the subject declared supplementary income sources, including property sales, loans, donations, and revolving credit facilities. Furthermore, the subject's spouse also held a position at "Cahul-Gaz" LLC, resulting in yearly income that exceeded that of the subject in some years. As a result, the subject's household income has consistently exceeded the national average.
123. Only in 2012 was the subject's combined household salary and social security income less than the national average income. This, however, is not representative because the total household income, including alleged donations and other non-regular income, also exceeded the national average. In some of the following years of the evaluation period, the subject's regular household income—comprising only salary, social security, and interest payments—was up to four times higher than the national average calculated

by the NBS for a household of similar size. When including all sources of income, such as loans, donations, and property sales, the household income reached levels up to 25 times higher than the national average. For instance, in 2021, the subject's total household income was approximately 2,558% of the national average, and in 2020 and 2019, the ratio was 495% and 427% respectively. A detailed year-by-year comparison is provided in the table below.

Year	Subject's household income from salaries and social security (figures in parentheses include total income, such as alleged donations, loans, and other non-regular sources)	National average per NBS	%
2012	60,615 (71,115)	69,844	87 (102)
2013	94,178 (114,178)	80,784	117 (141)
2014	180,646 (203,160)	74,198	243 (274)
2015	213,778	95,841	223
2016	194,337 (444,337)	92,630	210 (480)
2017	292,069 (332,069)	100,300	291 (331)
2018	361,324	110,884	326
2019	454,999 (551,279)	129,031	353 (427)
2020	544,434 (644,434)	130,158	418 (495)
2021	538,985 (3,867,945)	151,200	356 (2,558)
2022	577,202 (1,237,202)	208,908	276 (592)
2023	710,495 (758,495)	211,954	335

124. In the subject's particular circumstances, significant amounts of income earned are also withdrawn in cash. In the four years where the Commission identified potential inexplicable wealth, the subject's household had available in cash 64 – 100% of all income earned, and the cash withdrawals exceeded the national average income. This cash did not carry over as cash savings to the succeeding years, and these amounts were larger than the CEP, save for 2012. Hence, as regards 2013, 2015, and 2017, there can be no doubt as to the applicability of the CEP. Regarding 2012, although the cash available to the subject was lower than the CEP, the Commission retained the CEP in full due to the availability of cash beyond the national average income and other considerations reflected in §§ 165-166.

125. Furthermore, as of 2018, the subject's household's spending habits for daily needs are identified in bank records, in that both the subject and his wife begin to rely more on their debit cards for daily transactions. Thus, the Commission could definitively establish that as of 2018, the subject's household used debit cards for expenses roughly equivalent to the CEP while also having cash available more than twice the CEP, which was confirmed by the subject to have also been used for daily expenses. By 2023, the daily expenses identified on these bank accounts exceeded the CEP by 2.5 times, and large amounts of cash were also available.
126. The Commission acknowledges the possibility that the subject may have had access to products from his parents-in-law. However, the data from the household's debit cards, reflected above, suggests that his household's consumption was generally far larger than the national average. The data identified on the subject's bank accounts from 2018 to 2020 prove that the subject's alleged reliance on groceries from his parents-in-law in no way reduced his daily consumption under the value of the CEP, irrespective of in-kind support alleged to have been received from the household of the subject's parents-in-law.
127. Considering the subject's income, which consistently exceeded the national average and, in certain years, was several times higher, as well as the lack of credible justification for reducing individual CEP categories, the availability of cash and the subject's verified spending habits as of 2018 until the end of the evaluation period, the Commission finds no grounds to depart from the established methodology. Accordingly, the Commission will retain the complete CEP estimates in its calculations for the years in which it identified inexplicable wealth.

2.2 Alleged receipt of undeclared donations

128. In the first round of questions, the subject stated that he received 25,000 MDL in 2012 as donations on the occasion of his son's christening. In the second round of questions, the subject clarified that no formal event was organized aside from the religious procession itself. In the fourth round of questions, the subject explained that his family is religious and that the christening rite is an essential tradition. He further stated that, in line with common practice, guests—including the child's grandparents—offered financial donations. In the written explanations submitted prior to the first hearing, the subject provided two signed declarations from individuals who stated they had attended the event and provided gifts.

129. Also, in the first round of questions, the subject declared having cash savings of 30,000 MDL at the end of 2014. He attributed this amount to a 20,000 MDL wedding anniversary gift received from his parents and in-laws, with the remainder reportedly derived from household income in 2014. The subject further noted that his wife received an additional 500 EUR in 2015 as a birthday gift from her parents.
130. However, none of these amounts were declared as income in the subject's annual asset and interest declarations submitted to the National Integrity Commission (NIC) pursuant to Law No. 1264/2002. The Commission notes the following in this regard:
- a) Under Law No. 1264/2002, the subject had an explicit obligation to declare all income. The term "income," as defined by the law, included any increase, addition to, or growth in assets—regardless of source—expressed as pecuniary rights or any other patrimonial benefit obtained by the subject or members of his family. Thus, the origin of the funds—whether employment, inheritance, donation, or family assistance—was irrelevant for declaration purposes;
 - b) Law No. 1264/2002 did not provide for any exemptions from declaration requirements, such as gifts from close relatives;
 - c) The official declaration form included specific sections for "income from donations" and "other income." Therefore, regardless of the subject's legal interpretation or personal belief, any financial benefit received should have been declared accordingly.
131. The Commission notes that the subject failed to declare the amounts received in 2012, 2014, and 2015—whether as donations received at his son's christening or as family gifts—despite the clear obligation under Law No. 1264/2002 to declare any increase in assets, irrespective of source. This omission is particularly concerning given that the subject did declare other donations in later years (2016, 2020, and 2022), as detailed above in the section on mitigating factors.
132. When asked during the first hearing to explain why certain donations were declared and others were not, the subject failed to provide any reasonable or legally grounded justification. During the first hearing before the Commission, the subject suggested that these smaller donations were not declared because he did not realize that the relatively small amounts (compared to that of the declared donations in later years) must be declared. The subject, however, explicitly said that the value of the donations is not an argument for non-declaration.

133. While he submitted declarations from two individuals confirming attendance at the christening and the provision of gifts, these retrospective documents do not sufficiently support the reliability or traceability of the funds in question.
134. Additionally, in the case of ceremonial gifts, it would distort the financial assessment to accept such sources of income at face value while disregarding the customary expenses typically associated with such ceremonial events, including potential reciprocal gifts provided by the subject on similar occasions. The intrinsically unverifiable nature of such transactions renders them unreliable as meaningful financial inflows and precludes their use in explaining a negative balance between the subject's financial flows.
135. Given the inconsistency in the subject's reporting, the lack of contemporaneous documentation, and the absence of a coherent rationale for the differential treatment of comparable income sources, the Commission finds that these amounts cannot be accepted as legitimate income or savings. Accordingly, the Commission excludes the 25,000 MDL as income for 2012, 20,000 MDL as savings at the end of 2014, and 500 EUR as income for 2015.

2.3 Beneficial ownership of Lexus CT200H m/y 2012

136. The subject declared in his five-year declaration free of charge use rights, as of 2023, over a vehicle model Lexus CT200H, m/y 2012, owned by the subject's mother-in-law, T.C., since 20 November 2017. According to information available to the Commission, the vehicle was purchased for 250,000 MDL, with an additional 18,910 MDL paid in customs duties. In the first round of questions, the subject indicated that to finance the purchase of this vehicle, his parents-in-law used funds provided over an undefined period by his brother-in-law, I.B.
137. In the second round of questions, the subject stated the following:
- a) On 1 February 2017, the subject's father-in-law was diagnosed with a condition that could have affected his ability to drive and for which treatment was initiated;
 - b) Given the vehicle's technical features (automatic transmission, parking assistance, brake sensitivity, etc.), the car was selected specifically to accommodate his condition;
 - c) Approximately six months after the diagnosis, the father-in-law's condition improved, including motor functions, though he continued to experience difficulties driving;

- d) The subject's wife regularly used the vehicle to transport her parents to medical appointments in Chişinău;
 - e) The vehicle was registered in the name of the subject's mother-in-law to limit the father-in-law's direct access to the vehicle.
138. The subject stated in the third round of questions that the vehicle was not in the regular and constant possession of his wife. He further stated that no person used the vehicle on a consistent basis. According to the subject, the father-in-law initially used the vehicle on a few occasions "for the purpose of testing" and was not included as a beneficiary in the RCAI insurance policies because he chose not to drive the car.
139. The subject also claimed that his father-in-law considered the vehicle unsuitable for rural conditions and instead used a Renault Scenic registered in his other daughter's name. In post-first hearing explanations that the subject submitted to the Commission on 7 July 2025, he stated that his wife "took over the role of primary driver of this vehicle, driving it in her parents' interests, which is what creates the perception of beneficial ownership."
140. Despite the subject's statements, the Commission identified several indicators suggesting effective use and control of the vehicle by the subject and his household:
- a) According to the RCAI policy records, from November 20, 2017, to November 19, 2018, the subject's mother-in-law was listed as the primary beneficiary (with an unlimited number of users). From 22 November 2018 to 21 November 2021, both the subject and his wife were registered as secondary beneficiaries, while the mother-in-law was listed as the primary beneficiary (limited number of users). Between 22 November 2021 and 21 November 2023, the subject's wife became the primary beneficiary, with the subject remaining a secondary beneficiary (limited number of users.) As of 22 November 2023, the subject's wife was listed as the sole insured beneficiary (with an unlimited number of users).
 - b) Although the subject's mother-in-law was the formal policyholder in some RCAI insurance periods, she did not hold a driver's license and was therefore legally prohibited from driving the vehicle. RCAI policies are designed to cover the vehicle's actual drivers. Her designation as primary beneficiary appears formalistic and does not reflect the vehicle's actual use.
 - c) The records from the National Agency for Auto Transport (in Romanian *Agenția Națională Transport Auto*, hereinafter "ANTA") indicate that the mother-in-law only conducted and paid for mandatory technical inspections

of the Lexus CT200H in November 2017 and March 2024. Given her lack of a driver's license, it remains unclear who accompanied her. In all other instances during the evaluation period, the inspections were performed and paid for by either the subject or his wife.

d) ANTA records further show that the vehicle was used for approximately 36,500 km from the time of acquisition through the end of 2023. Given that only the subject and his wife were insured licensed drivers for the vehicle, it seems that they were the only possible individuals who used it for such extensive travel. According to ANTA data, yearly odometer readings indicate that the average distances travelled by this vehicle ranged between 319 to 725 km per month. In his first hearing, the subject stated that his wife would drive her father to Chişinău from Cahul – sometimes twice per week – but provided no supporting documentation. The Commission acknowledges that the subject's wife may have transported her father to the hospital. However, in the absence of corroborating documentation and given the totality of the circumstances described in this paragraph, it cannot be concluded that the vehicle was used exclusively – or even primarily – for the stated purpose. The average recorded monthly distances may just as well be explained by personal use by the subject's wife.

e) This vehicle was acquired around the same period when the subject was in the process of being appointed at the Comrat Court of Appeal, approximately 82 km away from the family residence in Cahul. The subject was appointed to the Comrat Court of Appeal on 19 September 2018, but, according to SCM Decision No. 846/37 of 19 December 2017, the subject's candidacy was forwarded to the Board for the Selection and Career of Judges for carrying out the procedures for promotion well before the date of appointment. The subject's household only had one vehicle under formal ownership as of December 2017. The subject would use that vehicle in Comrat as well as to make the weekly commute to Cahul. With the Lexus the subject's wife seems to have required a vehicle of her own. This is particularly the case as the subject's two children remained in Cahul with the subject's wife, per the subject's own declarations. Accordingly, the confluence of events suggests that the Lexus CT200H may have been purchased to fill the void that the subject's absence from Cahul throughout the workweek would create.

f) While the subject maintained that the vehicle was acquired for his father-in-law's use and chosen for its accessible features, available data suggests that the father-in-law never used the vehicle. Had he done so, he would reasonably have been included as an insured driver – particularly

after his recovery. Moreover, the Commission identified that the father-in-law used and held ownership over other vehicles during and after the relevant period:

- From December 2014 to December 2017 and again from December 2019 to November 2024, he was the primary insured driver for a Renault Megane Scenic, m/y 1998, registered in the name of his daughter, the wife of I.B.;
- From December 2017 to December 2019, he was also the primary insured driver for an Opel Combo, m/y 1995, which he owned from 2006 to 2024;
- Since July 2024, he has been the owner and insured driver of a Dacia Logan, m/y 2019. Two months prior to the acquisition of this vehicle, he sold two land-plots, totaling 2,28 ha.

g) It is notable that the subject began declaring possession of the Lexus CT200H vehicle only in the 2023 annual declaration, submitted in 2024, indicating that possession was acquired in that same year. He failed to declare this vehicle for the period 2017–2022, despite his own admission that his wife used it constantly and it was under her constant possession, which would have made declaration mandatory. This delayed declaration, alongside other indicators pointing to the subject's and his household's permanent use and control of the vehicle well before 2023, raises suspicions about an attempt to conceal relevant information from the authorities. In the present case, however, the failure to declare is not treated as a separate breach, but as one element within the broader financial assessment of the inexplicable wealth. Indeed, pursuant to Article 4 para. (1) lit. g) of Law No. 133/2016, subjects are required to declare any assets for which they, their family members, or cohabiting partner, are the beneficial owners. Therefore, treating the failure to declare beneficial ownership as an additional ethical breach would be redundant in the current context.

141. The subject's explanations for the purchase and use of this vehicle are contradictory. The subject stated that this vehicle was purchased for his father-in-law's use, but the father-in-law chose not to use the vehicle. The vehicle remained with the subject's wife. His wife would occasionally use it to transport her father to Chisinau for treatment. In the third round of questions, the subject explained that his wife would only use this vehicle upon necessity but return it to her parents thereafter. Although no one in her parents' household seemed to have any interest in using it or, indeed, was insured against road hazards to safely use it. Ultimately, the subject argued that his parents-in-law purchased this vehicle, used a large portion of their

disposable income to do so, found it unsuitable, and then simply allowed the subject's wife to keep this vehicle with the understanding that their daughter would ensure transportation for occasional trips for medical treatment. The contradictory explanations regarding the purpose, use, and subsequent allocation of the vehicle undermine the overall credibility of the account.

142. Additional inconsistencies emerged following the hearing of the subject's brother-in-law. Firstly, he stated that, starting in 2012, he had provided financial support to his parents-in-law in cash. He said that before his vacation visits, he usually withdrew cash from banks in the United Kingdom for his possible expenses in Moldova. Any money left after his stay would have been left to his parents-in-law. Most often, he would have handed over the money to his mother-in-law.
143. These amounts reportedly ranged between 100 and 2,000 GBP per year, with one instance involving a transfer of 3,500 GBP. Subsequently, in 2017, after the father-in-law had reportedly fallen ill, the brother-in-law's family decided to offer the parents-in-law a surprise "gift" — a more comfortable vehicle. When asked whether he had participated in identifying the model of the car (minute 11:50 of the hearing recording), the subject's brother-in-law stated that he had not participated. He explained that he had only one requirement — that the car have an automatic gearbox — and that, following consultations with the subject and the subject's wife, they agreed that a Lexus CT200H was a suitable option. The subject's brother-in-law further stated that the decision regarding the model was taken mainly by "the two sisters," namely the subject's wife and her sister (minute 14:10 of the hearing recording). He also mentioned that most likely it was the subject who communicated with the seller of the car (minute 14:55 of the hearing recording).
144. This explanation lacks clarity. The subject consistently stated, and the brother-in-law confirmed that some of the funds previously offered as assistance were used to buy the car. This implies that some of the cash previously handed over to his mother-in-law would have been taken from her, and then, with some additional contribution, the Lexus CT200H would have been bought.
145. The argument becomes even less coherent when considering that the father-in-law allegedly disliked the vehicle from the first months after it was acquired, but it was never sold. In other words, the brother-in-law gifted the father-in-law a vehicle he disliked, partially funded by money that had already been given to him earlier as financial support. Instead, it has been

used exclusively by the subject's wife and I.B.'s statements indicate that she was actively involved in selecting the car.

146. The Commission's doubts are further reinforced by the fact that the Lexus CT200H was not alienated at any point between 2017 and the present, even after the father-in-law purportedly refused to use it. According to the brother-in-law's own account, the father-in-law eventually acquired a Dacia Logan m/y 2019, in 2024, using proceeds from the sale of two agricultural land plots.
147. Again, if the original intention had been to provide the father-in-law with a more suitable vehicle, it remains unclear why a replacement vehicle was not purchased earlier, possibly with money from selling the Lexus, rather than not until 2024 with proceeds from the sale of the lands.
148. After his first hearing, on 2 July 2025, the subject presented a declaration signed by I.B. and authenticated by a UK notary, according to which I.B. provided financial support to his parents-in-law in excess of 10,000 GBP over the period 2014 – 2017. I.B. further stated that he continues to provide such support to date. However, in the third round of questions, the subject stated that no banking records could be provided, citing the seven-year document retention policy of I.B.'s bank in the United Kingdom. I.B. relayed the same argument in his declaration to the Commission.
149. During the hearing of the subject's brother-in-law, he informed the Commission of his intention to provide banking excerpts, attesting to his financial support, once these are obtained. He claimed that it could be in a couple of days after the hearing. No banking data from the last seven years or longer were provided to the Commission.
150. As regards I.B.'s financial assistance to his parents, the Commission does not contest this possibility, but this assistance has little bearing on the purchase of the Lexus CT200H. The Commission does not necessarily dispute the financial capacity of the subject's parents-in-law to theoretically purchase this vehicle, either through their own means or via financial support received from their son-in-law in the UK. Instead, the Commission's doubts in this regard stem from the consistent and *de facto* possession exercised over this vehicle by the subject's household since its acquisition, which is the only reasonable conclusion that arises from the subject's explanations. While it may be conceivable that the subject's parents-in-law, with support from I.B., could have theoretically purchased this vehicle, it would in any case be a very significant investment, requiring a substantial part of their disposable income, at a time when the father-in-law had recently been diagnosed with

a serious condition. In such a context and considering that such a condition could reasonably be expected to prompt restraint in discretionary spending, the plausibility of acquiring the vehicle in question — particularly as it was not ultimately used by the person for whom it was purportedly intended — is diminished.

151. Pursuant to its previous practice, because Law No. 252/2023 does not contain a definition for “financial benefits”, the Commission followed the closest applicable definition of “beneficial ownership” from Article 2 of Law No. 133/2016 (see: *Anatolie Turcan*, Report of 14 May 2024, § 46), *i.e.*, a person who exercises control over an asset owned by another person.
152. Based on the cumulative evidence and reasoning outlined above, the Commission concludes that the subject’s household exercised effective control over and consistent use of the Lexus CT200H vehicle from the moment of its acquisition, amounting to beneficial ownership as defined above. This conclusion is supported by the vehicle’s consistent registration under RCAI policies listing the subject and his wife as beneficiaries, the lack of a driver’s license on the part of the formal owner, the mother-in-law, and the absence of any concrete evidence showing the vehicle’s use by the purported intended beneficiary, the subject’s father-in-law. Furthermore, the declared rationale for the purchase—facilitating transport for the father-in-law—was contradicted by his continued use and ownership of other vehicles, as well as his absence from the registration as an insured driver for the Lexus CT200H.
153. Therefore, the Commission finds that the subject’s household was the effective beneficiary of the Lexus CT200H. Accordingly, the Commission includes the acquisition cost of the Lexus CT200H in the subject’s household’s outgoing financial flow for the relevant year.

2.4 Inexplicable wealth per year

154. **Inexplicable wealth for 2012.** Per the subject’s answer to the first round of questions, he had no cash savings available at the end of 2011, as he stated that in 2012, his household used available revenue streams received in 2012 to pay for expenses in that year. Moreover, the Commission identified no bank savings available to the subject’s household from 2011. Accordingly,

the Commission has not identified funds from 2011 that contributed to the subject's incoming financial flow in 2012.⁶

155. According to SFS data, in 2012, the subject received 53,811 MDL as net income from the Cahul District Court. The subject's wife received 6,804 MDL in maternity leave payments.
156. Based on data obtained from the Credit Bureau, the subject's clarifications during the first round of questions, and the supporting bank statements provided, the Commission established that the subject received 10,500 MDL through a revolving credit agreement linked to MAIB account no. ****065. This amount was included in the subject's incoming financial flows.
157. In the first round of questions, the subject appeared to indicate that he had received 20,000 MDL in 2012 through a MAIB account. However, Credit Bureau data shows that while a credit line of this amount was approved, the subject only partially utilized it. The bank statement for MAIB account no. *065, submitted in the first round of questions, confirms that the subject withdrew 10,500 MDL in 2012 and an additional 8,500 MDL in 2013 under this credit facility.
158. Although the subject held other active credit line agreements in 2012 with both MAIB and Energbank, there is no indication that funds were disbursed under those agreements, other than the amounts received through MAIB account no. *065, as described above.
159. From the foregoing, the subject's household had incoming financial flows of 71,115 MDL.
160. According to information provided by Donaris Grup, the subject contracted an external mandatory road use insurance policy (hereinafter "RCAE") for a Renault Megane, m/y 2004, covering the period 18 November 2012 to 17 November 2013. The premium paid for this policy amounted to 6,874.66 MDL. Given that this is not included within the essential expenses covered by CEP, the amount is attributed to the subject's outgoing financial flow for the year 2012.

⁶ Pursuant to the Annex of the Rules, savings (including cash) have a double nature. At the beginning of the period, they count as incoming cash-flow. At the end of the period, they count as outgoing cash-flow. The outgoing cash-flow of savings at the end of the year (or another period) equals the incoming cash-flow of savings at the beginning of the next year (or another period). For brevity, in future years the Commission will no longer refer to the Annex to the Rules when dealing with the previous year's savings.

161. In the first round of questions, the subject declared incurring vehicle maintenance expenses of up to 3,000 MDL per year for a Renault Megane, m/y 2004. In that context, the question specifically referred to expenses such as oil changes, tire replacements, repairs, and similar expenses.
162. In addition to that, the Commission identified 1,137 MDL in related expenses for technical inspections, RCAI, short-term RCAE policies, and road taxes. No fuel expenses were identified by the Commission for this year given that the information provided by ANTA provided available data for 2014 onwards.
163. While the subject's reported maintenance costs could be treated as expenses distinct from CEP—particularly in light of the subject's vehicle use (e.g. in Romania given his one-year RCEA) and the absence of specific fuel entries—the declared amount was an estimate. To avoid potential double-counting, the Commission chose not to include these costs separately in the Table of financial flows for 2012.
164. Based on data obtained from the Credit Bureau, the subject's clarifications during the first round of questions, and the relevant bank statements submitted, the Commission established that the subject repaid a total of 35,238 MDL in credit line loans in 2012:
- a) According to a confirmation from Energbank, the subject repaid 15,670 MDL in 2012 toward a 20,000 MDL loan contracted in 2011;
 - b) Based on the bank statement for MAIB account no. *703, the Commission established that the subject repaid 19,468 MDL in 2012 under a 20,000 MDL revolving credit agreement contracted in 2011;
 - c) Based on the bank statement for MAIB account no. *065, the Commission identified a further repayment of 100 MDL in 2012 toward a revolving credit agreement contracted that same year.
165. According to NBS data, the CEP for a household composed of two adults and two children amounted to 74,654 MDL in 2012 (calculated as 1,555.3 MDL per person per month × 12 months × 4 persons). In this respect, the Commission notes the findings of the Supreme Court of Justice in its decision of 16 August 2024 in the case *Rodica Chirtoacă v. SCM*. The Court observed that the sources from which judges may obtain income are restricted by law. Therefore, it may be unreasonable to require a judge to demonstrate sufficient income to cover consumption expenses in situations where the total family income is lower than the average consumption expenses of the population, and the partner is unable to earn any or a higher income.

166. In the present case, the total salary and social insurance income of the subject and his wife amounted to 60,615 MDL, which is 14,039 MDL below the estimated CEP. While the Commission acknowledges the observation of the Supreme Court of Justice, it does not find those considerations applicable in the present case.
- a) In this regard, the subject contracted two short-term RCAE policies in 2012 (24 August – 7 September and 23 October – 6 November). In the same year, the subject’s household contracted a full-year RCAE policy (18 November 2012 – 17 November 2013), covering international vehicle travel. In the third round of questions, the subject explained that the insurances were contracted due to regular travel to Romania for shopping purposes, as the nearest major Romanian city was closer than Chişinău. The Commission admits that this regular travel may imply additional consumption expenditures not reflected in the essential expenses covered by CEP.
- b) The subject had access to disposable cash exceeding the CEP, having either withdrawn or received in cash 60,784 MDL from salary and social security income and a further 10,500 MDL in cash from a revolving credit. The resulting amount of 71,284 MDL exceeds the national average income.
- c) For these reasons, the Commission finds no basis to adjust or reduce the standard CEP. Accordingly, the complete 2012 CEP remains applicable to the subject’s outgoing financial flow for that year.
167. In his response to the first round of questions, the subject did not indicate any cash savings at the end of 2012. Furthermore, the Commission found no evidence of any bank savings during this period. Accordingly, no savings were considered as contributing to the subject’s outgoing financial flow for the year 2012.
168. Based on the information assessed, the Commission concludes that the subject’s household incurred total outgoing financial flows of 116,766 MDL in 2012.
169. Consequently, the subject’s outgoing financial flows for 2012 appear to have exceeded incoming financial flows by 45,651 MDL.

Table of financial flows 2012

Incoming financial flows, MDL		Outgoing financial flows, MDL	
Cahul district court salary	53,811	1-year RCAE	6,874
Social security	6,804	Credit line repayment	35,238

Credit line	10,500	CEP	74,654
Total	+71,115		-116,766
Difference	-45,651		

170. **Inexplicable wealth for 2013.** According to the subject's response in the first round of questions and the Commission's findings, the subject's household held no cash or bank savings at the end of 2012. Therefore, no funds were carried over to contribute to the household's incoming financial flow for 2013.
171. According to SFS data, in 2013 the subject received net income of 71,816 MDL from the Cahul District Court. The subject's wife received 5,103 MDL in confirmed maternity leave payments, 15,154 MDL in net income from "Cahul-Gaz", and 2,105 MDL from "Silva-Sud Cahul".
172. Based on data from the Credit Bureau, the subject's clarifications during the first round of questions (R1Q17), and the relevant bank statements provided, the Commission established that the subject had access to 20,000 MDL via revolving credit facilities associated with MAIB accounts no. ***065 and ***665. These amounts were included in the subject's incoming financial flows for 2013.
173. Specifically, the Credit Bureau data indicates that the subject was granted a credit line of up to 20,000 MDL in 2013 but only partially utilized it. The bank statement for MAIB account no. ***065 confirms that the subject withdrew 8,500 MDL in cash under this facility in 2013.
174. The Credit Bureau further indicates that the subject was granted an additional credit line of up to 49,000 MDL in 2013. However, the subject only accessed part of this amount, withdrawing 11,500 MDL in cash from MAIB account no. *665.
175. Based on the above, the Commission concludes that the subject's household had incoming financial flows totaling 114,178 MDL in 2013.
176. According to information provided by Donaris Grup, the subject contracted an RCAE policy for a Renault Megane, m/y 2004, covering the period 24 July 2014 to 23 July 2015. The premium paid for this policy was 8,089.35 MDL. As this represents an atypical expense not included in the CEP, it is attributed to the subject's outgoing financial flow for 2013.
177. In the first round of questions, the subject also declared incurring annual vehicle maintenance expenses of up to 3,000 MDL for the Renault Megane,

m/y 2004, during the period 2012–2015. As noted above in the context of 2012, further expenses of 1,153 MDL were identified for mandatory annual technical inspections, RCAI, short-term RCAE policies, and road taxes. Because the CEP transportation category for 2013 amounted to 5,242 MDL, to avoid potential duplication, the Commission decided not to include the estimated maintenance expenses separately.

178. Based on data from the Credit Bureau, the subject's clarifications in the first round of questions, and the relevant bank statements provided, the Commission established that the subject repaid a total of 21,244 MDL in credit line loans in 2013.
179. According to data from the NBS, the CEP for a household composed of two adults and two children amounted to 86,563 MDL in 2013 (calculated as 1,803.4 MDL per person per month × 12 months × 4 persons).
180. In response to the first round of questions, the subject indicated that he had no cash savings available at the end of 2013. However, the Commission identified a total of 3,069 MDL in bank savings, consisting of 391 MDL on the subject's MAIB account no. *499 and 2,678 MDL on the subject's wife's MAIB account no. *660. Accordingly, 3,069 MDL is attributed to the household's outgoing financial flow for 2013.
181. Based on the above, the Commission concludes that the subject's household incurred total outgoing financial flows of 118,965 MDL in 2013.
182. Therefore, in 2013, the subject's outgoing financial flows appear to have exceeded incoming financial flows by 4,787 MDL.

Table financial flows 2013

Incoming financial flows MDL		Outgoing financial flows MDL	
Cahul District Court salary	71,816	1-year RCAE	8,089
Social security	5,103	Credit line repayment	21,244
Cahul Caz SRL	15,154	CEP	86,563
Silva-Sud Cahul IS	2,105	Cash & bank savings 2013	3,069
Credit line	20,000		
Total	+114,178		-118,965
Difference	-4,787		

183. **Inexplicable wealth for 2015.** In the first round of questions, the subject declared cash savings of 30,000 MDL at the end of 2014. However, based on the reasoning set out in §§ 129-135, the Commission accepted only 10,000 MDL as legitimate cash savings carried forward into 2015. Additionally, the Commission identified bank savings of 3,899 MDL in the subject's MAIB accounts no. *499 and *280, as well as the subject's wife's MAIB account no. *660. Accordingly, 13,899 MDL is attributed to the subject's incoming financial flow for 2015.
184. According to SFS data, in 2015 the subject received net income of 120,084 MDL from the Cahul District Court. The subject's wife received 93,694 MDL in net income from Cahul-Gaz SRL.
185. Additionally, according to the bank statement for MAIB account no. *665, the subject received an additional 503 MDL in 2015 through a transfer from this account to another. As these funds were accessed under a revolving credit agreement, the amount is attributed to the subject's incoming financial flows for that year.
186. It follows that in 2015 the subject's household had an incoming financial flow of 228,180 MDL.
187. According to the PSA data, on 16 September 2015, the subject registered his ownership over vehicle model Renault Megane m/y 2011. In the subject's 2015 NIC Declaration, he declared having acquired this vehicle for 6,000 EUR (approximately 125,000 MDL). Accordingly, this sum is attributable to the subject's outgoing financial flow for 2015.
188. According to the NBS, the CEP in a household of two adults and two children amounted to 105,941 MDL in 2015 ($2,207.1 \times 12 \text{ months} \times 4 \text{ persons}$).
189. The CEP category for transportation amounted to 6,917 MDL in 2015. However, the Commission identified fuel expenditures that significantly exceeded this amount. Accordingly, the Commission will attribute fuel expenses, as well as other vehicle maintenance expenses, separately and only to the extent that they exceed the transportation component included in the CEP.
190. The amount of fuel expenses which go beyond the transportation component of the CEP was estimated based on data received from the ANTA, cross-referenced with public pricing data from the National Agency for Energy Resources (in Romanian *Agenția Națională pentru Reglementare în Energetică*, hereinafter "ANRE").

- a) According to ANTA, the Renault Megane, m/y 2004, underwent mandatory annual inspection on 9 July 2014, at which time the odometer registered 143,310 km. A subsequent inspection on 15 August 2015 recorded 162,327 km, reflecting a total distance traveled of 19,017 km.
- b) Similarly, the Renault Megane, m/y 2011, underwent technical inspections on 28 September 2015 and 12 October 2016, during which the odometer readings were 149,000 km and 173,075 km, respectively, indicating 24,075 km traveled during that period.
- c) Based on open-access data, the average fuel consumption is estimated at the lower end of the typical range—7.7 l/100 km for the 2004 model and 5.4 l/100 km for the 2011 model. These values are modest for vehicles of this class and support the credibility of the Commission’s calculations.
- d) Between July 2014 and August 2015, the 2004 model traveled 19,017 km, averaging approximately 1,584 km per month. At a consumption rate of 7.7 l/100 km, this equates to a monthly fuel usage of approximately 122 liters. The Commission therefore attributed nine months of fuel use for this vehicle in 2015, consistent with its usage until acquisition of the newer model.
- e) Between September 2015 and October 2016, the 2011 model traveled 24,075 km, averaging approximately 1,926 km per month. With a consumption rate of 5.4 l/100 km, this results in a monthly fuel estimate of approximately 104 liters. Given that the subject acquired the vehicle in late 2015, the Commission attributed three months of fuel use for this vehicle in 2015.
- f) ANRE’s 2015 report provided fuel and diesel pricing for eight months of the year.⁷ For the remaining four months, the Commission used the prior month’s figures. Based on this data, fuel prices ranged from 16.64 to 18.10 MDL/l, and diesel from 15.05 to 15.91 MDL/l.
- g) Accordingly, the Commission estimates that the subject incurred approximately 21,900 MDL in fuel expenses in 2015.⁸
- h) In the fourth round of questions, the subject challenged the consumption rate used by the Commission for the 2011 model, referencing a 4.9 l/100 km figure from his current vehicle, Renault Megane m/y 2016. The

⁷ ANRE, [Raport de Activitate](#) 2015, p. 45.

⁸ The estimate for monthly expense is calculated according to the following formula: 19,017 km / 12 months × 7.7 l/100 km × monthly price point for fuel; 24,075 km / 12 months × 5.4 l/100km × monthly price point for diesel; all monthly estimates are then added together.

supporting document, however, reflected only a 358 km trip, insufficient to establish a reliable average. The Commission found the argument unconvincing, particularly given the five-year difference in manufacturing date between the vehicles. It further noted that its estimate already reflected the lower end of publicly available consumption data, and any deviation would not materially affect the wealth analysis.

i) The subject also contested the attribution of fuel expenses for the 2004 model after the acquisition of the 2011 vehicle, asserting it was no longer used. The Commission's calculation, however, already reflects only nine months of usage for the 2004 model in 2015. The subsequent odometer reading from 12 November 2016 indicated 150,000 km—down from 162,327 km in August 2015—suggesting possible manual resetting. While the Commission refrained from attributing fuel expenses for the last three months of 2015 due to a lack of verifiable data, it cannot exclude the possibility that the 2004 model remained in use.

191. The subject declared having incurred vehicle maintenance expenses of 3,000 MDL for the Renault Megane, m/y 2004, up to and including 2015. Additionally, in the first round of questions, the subject stated that he incurred maintenance expenses of up to 4,500 MDL per year for the Renault Megane, m/y 2011.
192. In the fourth round of questions, the subject argued that by the end of 2015, he had sold one vehicle and acquired another. Accordingly, he proposed that maintenance expenses be prorated based on the period of actual use, applying the following formula: $3,000 \text{ MDL} \div 12 \times 9 \text{ months} + 4,500 \text{ MDL} \div 12 \times 3 \text{ months} = 3,375 \text{ MDL}$. The Commission finds this reasoning partially plausible. While it accepts the prorated attribution of maintenance expenses for the Renault Megane, m/y 2011—reflecting three months of use in 2015—it does not accept the same for the Renault Megane, m/y 2004, as this vehicle was not sold until 2017. Therefore, maintenance expenses for the 2004 model are fully attributable for the entire year. As a result, the Commission attributes 4,125 MDL in declared maintenance expenses to the subject's outgoing financial flows for 2015.
193. The Commission identified 2,745 MDL in expenses for annual testing, RCAI/RCAE policies and road taxes.
194. Considering the above, the Commission finds that the total transportation-related expenses incurred by the subject's household in 2015—including fuel (21,900 MDL), maintenance (4,125 MDL), and regulatory obligations such as annual testing, RCAI/RCAE policies, and road taxes (2,745 MDL)—

amounted to 28,770 MDL. Considering that the CEP transportation category for the same period amounted to only 6,917 MDL, the Commission attributes the excess sum of 21,853 MDL as a separate outgoing financial flow for 2015.

195. In accordance with the bank statement for MAIB account no. *065 the subject provided, the Commission established the subject's repayment of 23,304 MDL as part of the repayment of a 49,000 MDL revolving credit agreement contracted in 2013.
196. The subject did not declare cash savings available at the end of 2015. However, the Commission identified 21,615 MDL in bank savings at the end of 2015 on the subject's MAIB accounts no. *499 and *280, as well as on the subject's wife's MAIB account no. *660. Accordingly, 21,615 MDL is attributable to the subject's household's outgoing financial flow for 2015.
197. Thus, in 2015, the subject's household incurred outgoing financial flows of 297,713 MDL.
198. Therefore, in 2015, the subject's household's outgoing financial flows seem to have exceeded incoming financial flows by 69,533 MDL.

Table of financial flows 2015

Incoming financial flows MDL		Outgoing financial flows MDL	
Cash & bank savings at the end of 2014	13,899	Vehicle acquisition, 6,000 EUR	125,000
Cahul District Court	120,084	Fuel and vehicle maintenance, in excess of the CEP transport category	21,853
Cahul Caz SRL	93,694	Credit line repayment	23,304
Credit line	503	CEP	105,941
		Bank savings at the end of 2015	21,615
Total	+228,180		-297,713
Difference		-69,533	

199. **Inexplicable wealth for 2017.** In the subject's 2016 NIA Declaration, he declared cash savings of 257,000 MDL. The Commission identified further bank savings at the end of 2016 totalling 11,882 on the subject's MICB

- account no. *961, MAIB accounts no. *499 and *280, as well as the subject's wife's VICB account no. *163 and MAIB account no. 660. Accordingly, 268,882 MDL is attributed to the subject's incoming financial flow for 2017.
200. According to SFS data, in 2017 the subject received a net income of 179,158 MDL from the Cahul District Court. The subject's wife received 112,672 MDL in net income from Moldovagaz SA and 239 MDL in interest payments.
201. In the 2017 NIA Declaration, the subject indicated the receipt of 5,000 MDL as a study grant. In the first round of questions, the subject clarified that he graduated from the Cahul State University Master's Program in 2017, having been enrolled in 2015 on a part-time attendance schedule. The subject also confirmed that the subject did not receive any other grants. Accordingly, 5,000 MDL is attributable to the subject's incoming financial flows for 2017.
202. According to the PSA data, on 15 December 2017, the subject sold the Renault Megane m/y 2004. In the NIA Declaration the subject declared selling this vehicle for 35,000 MDL. As this vehicle was already 13 years old in 2017, the Commission deems the sales price of this vehicle as plausible and has attributed 35,000 MDL to the subject's incoming financial flow for 2017.
203. It follows that in 2017 the subject's household had an incoming financial flow of 600,951 MDL.
204. In the second round of questions, the subject confirmed having spent approximately 6,500 MDL on a trip to Turkey. In the fourth round of questions, the subject argued that this amount should not be attributed to his outgoing financial flow, as it was primarily spent on clothing (1,350 MDL for transportation, 30 USD for hotel accommodations, and 4,500 MDL for clothing). Indeed, according to the subject's MAIB bank statement, the subject paid 4,310.15 MDL (830 TRY) to a commercial agent in Turkey on 13 September 2017. However, the Commission was unable to identify the merchant or verify the nature of the transaction.
205. However, the Commission finds that expenditures incurred abroad—regardless of their specific purpose—form part of the broader category of travel-related expenses, typically associated with leisure or vacation activities. The vacation expenses are not reflected in only one CEP category; instead, such expenses may also be covered by the category for "Recreation and cultural activity", or the category for "Restaurants and hotels". The subject's expenditure for the trip to Turkey does not overlap with the CEP leisure category, as the NBS methodology encompasses a broader range of cultural, recreational, and social expenses, rather than exclusively covering vacation-related costs. Moreover, the declared sum for the trip (6,500 MDL)

exceeds the 2017 CEP allocation for hotels, restaurants, and cafes (3,653 MDL). Since the NBS methodology does not distinguish between domestic and international spending in this category, the Commission concludes that the full amount of 6,500 MDL for the Turkey trip is attributable as a separate outgoing financial flow for the year in question.

206. In view of the reasons mentioned in §§ 136-153, the Commission included in the calculations the acquisition price of 268,910 for the Lexus CT200H, m/y 2012.
207. According to the NBS data, the CEP in a household of two adults and two children amounted to 106,949 MDL in 2017 ($2,228.1 \times 12 \text{ months} \times 4 \text{ persons}$). In his pre-first hearing explanations submitted to the Commission, the subject recalled his consistent statements according to which his daughter went abroad on a study exchange program to the United State of America in August of 2017 and therefrom incurred no expenses for her maintenance. Accordingly, the Commission calculated the CEP on the basis of a household of four individuals for the first seven months of 2017 and three individuals for the remaining five months of 2017, resulting in 100,778 MDL ($2228.1 \times 7 \text{ months} \times 4 \text{ persons} + 2559.4 \times 5 \text{ months} \times 3 \text{ persons}$), attributable to the subject's outgoing financial flow.
208. The CEP category for transportation amounted to 4,651 MDL in 2017. However, the Commission identified fuel expenditures that significantly exceeded this amount. Accordingly, the Commission will attribute fuel expenses, as well as other vehicle maintenance expenses, separately and only to the extent that they exceed the transportation component included in the CEP.
209. In accordance with the methodology referenced at §§ 189-190, the Commission established that the subject's household incurred total fuel expenses of 23,000 MDL in 2017—comprising 600 MDL for vehicle model Lexus CT200H and 22,400 MDL for vehicle model Renault Megane, m/y 2011.
- a) According to ANTA, the Renault Megane, m/y 2011, underwent technical inspections on 12 October 2016, 25 September 2017 and 28 September 2018, during which the odometer readings were 149,000 km, 173,075 km and 230,320 km respectively—indicating a distance of 29,086 km traveled in the period 12 October 2016 – 25 September 2017 (average monthly value – 2,423.83 km) and 28,159 km in the period 25 September 2017 – 28 September 2018 (average monthly value – 2,346.58 km). Additionally, the Lexus CT200H underwent technical inspections on 20 November 2017 and

23 November 2018, during which the odometer readings were 83,270 km and 92,000 km, respectively, indicating 8,730 km traveled.

b) Based on open-access data, the average fuel consumption is estimated at the lower end of the typical range—5.4 l/100 km for Renault Megane m/y 2011 and 4.9 l/100 km for Lexus CT200H. These values are modest for vehicles of this class and support the credibility of the Commission’s calculations.

c) The Renault Megane m/y 2011 for an average monthly of 2,423.83 km for the first nine months of 2017 and 2,346.58 km for the last three months of 2017. At a consumption rate of 5.4 l/100 km, this equates to a monthly fuel usage of approximately 130 liters and 126 liters respectively.

d) the Lexus CT200H for approximately 727.5 km for one month in 2017 (for simplicity’s sake, the Commission disregarded the remaining ten days of November). With a consumption rate of 4.9 l/100 km, this results in a monthly fuel estimate of approximately 35 liters.

e) According to ANRE’s 2017 report, fuel prices ranged from 15.86 to 17.71 MDL/l, and diesel from 13.26 to 15.02 MDL/l.

f) Accordingly, the Commission estimates that the subject incurred approximately 23,000 MDL in fuel expenses in 2017.⁹

210. In the fourth round of questions, the subject contested the Commission’s fuel consumption estimate for the Renault Megane, m/y 2011, claiming it was 0.6 l/100 km higher than his own records. He referenced a consumption rate of 4.9 l/100 km for his current Renault Megane, m/y 2016, and provided documentation based on a 358 km trip. The subject asserted that the two vehicles are similar in performance and therefore would demonstrate comparable fuel efficiency. However, the Commission finds this argument unconvincing for several reasons. Firstly, there is a five-year difference between the manufacture dates of the two vehicles. Secondly, the Commission notes that its own estimate was based on the lower end of publicly available consumption data.

⁹ The estimate for monthly expense is calculated according to the following formula: 29,086 km / 12 months x 5.4 l/100 km x monthly average price for diesel for the months of January – September 2017; 28,159 km / 12 months x 5.4 l/100 km x monthly average price for diesel for the months of October – December 2017; 8,730 km / 12 months x 4.9 l/100 km x monthly average price for fuel in December 2017; all monthly estimates are then added together.

211. The subject declared having incurred vehicle maintenance expenses of 4,500 MDL for vehicle model Renault Megane m/y 2011. Additionally, in the first round of questions (R1Q40), the subject estimated annual maintenance expenses for vehicle model Lexus CT200H m/y 2012 at 2,000 MDL.
212. In the fourth round of questions, the subject argued that as vehicle model Lexus CT200H was acquired in late November, it is erroneous to attribute estimates for expenses incurred in a full year. The Commission finds this reasoning plausible and therefore has excluded maintenance expenses for this vehicle. The Commission also identified 3,909 MDL in expenses for annual testing, RCAI/RCAE policies and road taxes.
213. In conclusion, the total transport-related expenses identified by the Commission for 2017—including fuel (23,000 MDL), vehicle maintenance (4,500 MDL), and road-related costs (3,909 MDL)—amounted to 31,409 MDL. Considering that the transportation component of the CEP for 2017 was 4,658 MDL, only this portion is considered to overlap with the CEP. Consequently, the remaining 26,751 MDL are attributed separately as additional outgoing financial flow for the subject’s household in 2017.
214. In the 2017 NIA Declaration, the subject declared cash savings of 298,000 MDL. In the first round of questions, the subject confirmed the subject’s availability of this sum at the end of 2017. The Commission identified bank savings at the end of 2017 totalling 53,700 the subject’s MICB account no. *961, MAIB accounts no. *499 and *280, as well as the subject’s wife’s VICB account no. *163 and MAIB account no. *660. Accordingly, 351,700 MDL is attributed to the subject’s outgoing financial flow for 2017.
215. Thus, in 2017, the subject’s household incurred outgoing financial flows of 754.639 MDL.
216. Therefore, in 2017 the subject’s household’s outgoing financial flows seem to have exceeded incoming financial flows by 153,688 MDL.

Table of financial flows 2017

Incoming financial flows MDL		Outgoing financial flows MDL	
Cash & bank savings 2016	268,882	Vacation expenses in Turkey	6,500
Cahul District Court	179,158	Acquisition of Lexus CT200H	268,910
Moldovagaz SA	112,672	Fuel and vehicle maintenance, in excess of the CEP transport category	26,751

Sale of Vehicle	35,000	CEP	100,778
Study grant	5,000	Cash & bank savings 2017	351,700
Interest	239		
Total	+600,951		-754,639
Difference	-153,688		

2.5 Conclusion regarding inexplicable wealth

217. The Commission has identified that the subject's household accumulated negative financial balance of 273,659 MDL which is above the threshold of 20 average salaries (234,000 MDL) required by Article 11 para. (3) lit. a) of Law No. 252/2023 to establish a subject's lack of financial integrity.

Year	Amount of inexplicable wealth
2012	-45,651 MDL
2013	-4,787 MDL
2015	-69,533 MDL
2017	-153,688 MDL
Total	-273,659 MDL

218. As noted by the Supreme Court of Justice, the margin of error applicable to the calculation of household consumption expenses is $\pm 5\%$ (see Decision of 16 August 2024 in *Irina Iacub v. SCM*, § 38). Specifically, a 5% variation in household expenses would result in the following adjustments: 3,732.72 MDL in 2012, 4,328.16 MDL in 2013, 5,297.04 MDL in 2015, and 5,038.89 MDL in 2017. After applying these corrections in favor of the subject, the total inexplicable wealth would amount to 255,262 MDL. As such, even under the most favorable interpretation, the resulting negative financial balance continues to exceed the threshold.
219. Even assuming a potential overlap between the declared vacation expenses of 6,500 MDL and the CEP, as discussed in §§ 204–205, this would not affect the Commission's conclusion. In such a scenario, the Commission would have had to attribute only the excess amount—*i.e.* the difference between the declared vacation expenses (6,500 MDL) and the 2017 CEP allocation for

hotels, restaurants and cafes (3,653 MDL)—namely 2,847 MDL. Even in this event, the negative financial balance remains above the threshold.

220. For the reasons stated above, the Commission concludes that the subject's inexplicable wealth is most likely 273,659 MDL. Moreover, the Commission notes that it could have reasonably included in the subject's outgoing financial flows the additional estimated vehicle maintenance expenses for 2012 and 2013 (see §§ 161-163, 177), as declared by the subject, but ultimately decided not to do so to avoid potential duplication with the amounts reported under the CEP transportation category.
221. Although the unexplained wealth identified exceeds the statutory threshold by a relatively modest margin, the Commission finds that this shortfall is primarily attributable to the subject's household's effective ownership and use of the Lexus CT200H vehicle. This financial discrepancy stems chiefly from that finding, rather than from any statistical approximations or methodological assessments applied by the Commission.

VI. Conclusion

222. Based on the information it obtained and the subject's explanations, the Commission proposes that the subject does not promote the external evaluation on the grounds of non-compliance with the financial integrity criterion set in Article 11 para. (3) lit. a) of Law No. 252/2023.

VII. Further action and publication

223. 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.
224. 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.
225. 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.

226. This evaluation report was approved by a majority of seven votes of the participating members on 23 September 2025 and signed pursuant to Articles 33 para. (2) and 40 para. (5) of the Rules. No dissenting opinions were provided in relation to this report.
227. Done in English and Romanian.

Scott Bales

Chairperson of the Commission