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EVALUATION REPORT

approved according to Article 25

of the Rules of Organization and Functioning

ANA CUCERESCU

candidate for the Supreme Court of Justice

subject of evaluation under Article 3 para. (1) Law No. 65/2023

30 March 2026

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The Vetting Commission established by Law No. 65/2023 on the External Evaluation of Judges and Candidates for Judges of the Supreme Court of Justice (hereinafter “Law No. 65/2023”) deliberated on the matter on 26 March 2026 and approved the following report on 30 March 2026. The members participating in the approval of the report were:

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

Commission member Iulian Rusu submitted a written description of the circumstances referred to Article 10 para. (1) of the Rules. The Commission determined that recusal is not appropriate.

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

I. Introduction

1. This report concerns Mrs. Ana Cucerescu (hereinafter the “subject”), a candidate for the position of judge of the Supreme Court of Justice.
2. The Commission conducted its evaluation pursuant to Law No. 65/2023 and the Commission’s Rules of Organization and Functioning (hereinafter “Rules”).
3. The Commission concluded that the subject meets the criteria identified in Law No. 65/2023 for ethical and financial integrity.

II. Subject of the Evaluation

4. The subject has been a judge at the Chișinău Court, Buiucani Office, since 2019. Prior to this appointment, from September 2015 to December 2018, the subject held the position of judge at the Chișinău Court, Centru Office (which was called the Centru Court, Chișinău municipality until 1 January 2017).

From September 2011 to September 2015, the subject served as a judge at the Bălți Court.

5. Prior to appointment as a judge, the subject served as a consultant at the Botanica Court, Chișinău municipality, from May 2010 to September 2015. From December 2006 to October 2008, the subject held the position of consultant at the Superior Council of Magistracy.
6. The subject received a bachelor's degree in law in 2006 from the Moldova State University. In 2007, the subject received a master's degree in law from the same university.

III. Evaluation Criteria

7. Under Article 11 para. (1) of Law No. 65/2023, the Commission evaluates the subject's ethical and financial integrity.

8. Pursuant to Article 11 para. (2), a subject:

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

a) in the last 5 years, they seriously violated the rules of ethics and professional conduct of judges, prosecutors or, as the case may be, other professions, 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 for Human Rights;

b) in the last 10 years, has admitted incompatibilities and conflicts of interest incompatible with the office of judge of the Supreme Court of Justice in his/her work."

9. Article 11 para. (3) provides that 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, in total, 20 average salaries per economy, in the amount set by the Government for the year in which the judge's evaluation began;

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 in which the judge's evaluation began."

10. Article 20 para. (1) provides that:

“Candidates for the office of judge of the Supreme Court of Justice shall be evaluated in accordance with the provisions of this law.”

11. The applicable rules of ethics and professional conduct for judges in the relevant period were regulated by the:
 - a. Law No. 544 of 20 July 1995 on Status of Judge;
 - b. Law No. 178 of 25 July 2014 on Disciplinary Liability of Judges;
 - c. Judge’s Code of Ethics and Professional Conduct No. 8 of 11 September 2015 approved by the Decision of the General Assembly of 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.
12. The average salary per economy for 2025 was 16,100 MDL. Thus, the threshold of 20 average salaries is 322,000 MDL and the threshold of five average salaries is 80,500 MDL.
13. Article 11 para. (4) of Law No. 65/2023 allows the Commission to verify various things in evaluating the subject’s financial integrity, including payment of taxes, compliance with the legal regime for declaring assets and personal interests, and the origins of the subject’s wealth.
14. In evaluating the subject’s financial integrity, Article 11 para. (5) of Law No. 65/2023 directs the Commission to also consider the wealth, expenses, and income of close persons, as defined in Law No. 133/2016 on the declaration of wealth and personal interests, as well as of persons referred to in Article 33 paras. (4) and (5) of Law No. 132/2016 on the National Integrity Authority.
15. In assessing a subject’s compliance with the ethical and financial integrity criteria, the Commission applies the rules and legal regime that were in effect when the relevant acts occurred.
16. Finally, according to Article 11 para. (2) and (3) of Law 65/2023, the Commission determines that a subject does not meet the ethical and financial integrity criteria if it establishes serious doubts determined by the facts considered breaches of the evaluation criteria. The Commission cannot apply the term “serious doubts” without considering the accompanying phrase “determined by the fact that”. This phrase suggests that the Commission must identify as a “fact” that the specified conduct has occurred.

17. Regarding the standard of “serious doubts” in the context of the vetting exercise, the Constitutional Court noted with reference to its previous decisions that the definition of standards of proof inevitably involves using flexible texts. The Court also found that the Superior Council of Magistracy can only decide not to promote a subject if the report examined contains “confirming evidence” regarding the non-compliance with the integrity criteria. The word “confirms” suggests a certainty that the subject does not meet the legal criteria. Thus, comparing the wording “serious doubts” with the text “confirming evidence”, the Court considered that the former implies a high probability, without rising to the level of certainty (Constitutional Court Judgement No. 2 of 16 January 2025, §§ 99, 101).
18. Once the Commission establishes substantiated doubts regarding particular facts that could lead to failure of evaluation, the subject will be given the opportunity to oppose those findings and to submit arguments in defense, as provided by Article 15 para. (1) of Law No. 65/2023. After weighing all the evidence and information gathered during the proceedings, the Commission makes its determination.

IV. Evaluation Procedure

19. On 19 November 2025, the Commission received the information from the Superior Council of Magistracy pursuant to Article 21 para. (5) lit. a) of Law No. 65/2023. The information included the subject’s candidacy for the Supreme Court of Justice.
20. On 20 November 2025, the Commission notified the subject and requested that she complete and return an ethics questionnaire and the declarations, as provided in Article 12 para. (3) of Law No. 65/2023, 10 days from the date of notification (hereinafter, these declarations are referred to as the “five years declaration”). The subject returned the completed five-year declaration and questionnaire on 30 November 2025.
21. 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, respectively. 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 2013-2024 and 2015-2024. The evaluation period for the ethical criterion includes the past five or ten years calculated backwards from the date of the notification.

22. 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, positions of Management.
23. The Commission sought and obtained information from numerous sources. None of them informed the Commission of later developments or any corrections regarding the information provided.
24. The sources asked to provide information on the subject included the General Prosecutor's Office, the Anti-Corruption Prosecutor's Office, the Prosecutor's Office for Combating Organized Crime and Special Cases, the Ministry of Internal Affairs, the National Anticorruption Center, the National Integrity Authority (hereinafter "NIA"), the State Fiscal Service, the National Office of Social Insurance, the General Inspectorate of Border Police, banks (Eximbank JSC, Moldinconbank JSC, MAIB JSC, Victoriabank JSC, Banca de Finanțe și Comerț (FincomBank) JSC, OTP Bank JSC, Banca Socială 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. One petition was received from an individual. This was included in the evaluation file. All information received was carefully screened for accuracy and relevance.
25. On 22 January 2026, the Commission asked the subject to provide additional information by 3 February 2026 to clarify certain matters (hereinafter the "first round of questions"). On 28 January, 30 January and 2 February 2026, the subject submitted, by email, requests for clarification regarding several questions. The Commission replied by email to each of these requests. The subject submitted the answers and supporting documents within the deadline.
26. On 23 February 2026, the Commission asked the subject to provide additional information by 4 March 2026 to clarify certain matters (hereinafter the "second round of questions"). The subject submitted the answers and supporting documents within the deadline.
27. On 17 March 2026, the Commission notified the subject that based on the information collected and reviewed, it had not identified in its evaluation any areas of doubt about her compliance with the ethical and financial criteria. The subject was sent a written notice of the hearing. The notice stated

that if the subject declined to participate, but confirmed the accuracy of the information previously provided, the Commission would, absent any new information or developments, approve a report on passing the evaluation.

28. As provided in Article 24 para. (4) of the Rules, the subject sought and was provided access to all the materials in her evaluation file on 20 March 2026.
29. On 26 March 2026, the Commission held a public hearing. At the hearing, the subject reaffirmed the accuracy of her answers in the five-year declaration and the ethics questionnaire. The subject also stated that she did not have any corrections or additions to the answers previously provided to the Commission's requests for information.

V. Analysis

30. This section discusses the relevant facts and reasons for the Commission's conclusion.
31. 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. potential ethical issues arising from the subject's exercise of judicial functions;
 - b. potential conflict of interests;
 - c. potential inexplicable wealth.

A. Potential ethical issues arising from the subject's exercise of judicial functions

A.1. Petitions submitted to the Judicial Inspection and the Commission

32. A total of 21 petitions relating to the subject were received from the Judicial Inspection, who noted that complaints or petitions and all related documents are kept for 3 years after they are finished being reviewed. In addition, one petition was submitted directly to the Commission on 10 December 2025.
33. Most of the petitions concerned allegations regarding procedural irregularities in the drafting of minutes, limitations of procedural rights, the scheduling of hearings, the application of judicial fines, and the handling of adjournment requests. The Judicial Inspection emphasized that allegations concerning procedural irregularities fall within the scope of ordinary legal remedies rather than disciplinary proceedings. As regards the scheduling of hearings, the application of judicial fines and the handling of adjournment

requests, the measures taken by the subject were found to be aimed at ensuring the orderly conduct of proceedings, compliance with the reasonable time requirement and preventing the expiry of limitation periods. Accordingly, no disciplinary misconduct was identified.

34. Several petitions expressed dissatisfaction with judicial decisions, but reviews found no evidence of intentional wrongdoing or gross negligence, even in cases later overturned or retried.
35. Only a small number of them referred to potentially unethical conduct of the subject. One complained about the subject's absence from a hearing, which was dismissed after it was confirmed she had attended an official event and the hearing was properly rescheduled. Another allegation, claiming the subject had not authored a judicial decision, was found to be unsubstantiated due to lack of evidence. A final petition, based on a media article concerning the subject's request for withdrawal from a judicial panel, did not allege misconduct by the subject herself but referred to alleged pressure exerted on her by other judges¹. The Judicial Inspection dismissed the petition for lack of legitimate interest.
36. The Commission recalls that a serious violation of ethical rules presupposes conduct that reflects a substantial departure from the standards of impartiality, integrity or independence and has a significant impact on public confidence in the judiciary (see *Andrei Mironov* Report of 12 June 2025, § 72).
37. In Judgment No. 2 of 16 January 2025, the Constitutional Court clarified that the notion of "serious violation" establishes a high threshold for finding breaches of the ethical and professional standards applicable to judges. The Court further emphasized that the Commission's mandate concerns exclusively the assessment of compliance of conduct with ethical and deontological norms and does not extend to reviewing the legality of judicial decisions (see §§ 154 and 185 of the Judgment).
38. As regards the complaints reflecting dissatisfaction with the outcome of judicial decisions, the Commission notes that such matters fall within the sphere of judicial review and are to be addressed through the ordinary legal remedies provided by law. The content of the petitions does not suggest any departure from the ethical standards.

¹<https://anticoruptie.md/ro/dosare-de-coruptie/dosarul-viorel-morari-o-magistrata-se-abtine-de-la-judecarea-cauzei-pentru-ca-ar-fi-intimidata-de-colege>

39. With respect to the allegations concerning the conduct of hearings and procedural case management, the materials reviewed do not disclose indications of arbitrariness, abuse of authority, or other conduct capable of significantly undermining public confidence in the judiciary. The Commission has not identified facts which, at first sight, would fall under criteria provided by Law No. 252/2023 applicable. The European Court of Human Rights has acknowledged, by way of *obiter dictum*, that judicial efforts aimed at preventing procedural deadlocks and avoiding impunity resulting from the expiry of limitation periods may pursue legitimate aims compatible with the Convention (*Stephan Kucera v. Austria*, 9 December 2025, §§ 45, 47).

A.2. Alleged off-record messages with a prosecutor during a hearing

40. Among the allegations reflected in the media article cited at § 35 above, was the subject's potential communication by telephone with the public prosecutor during the hearing.
41. A review of the case file in the Integrated Case Management System (PIGD) identified a recusal motion based on allegations that the subject had exchanged telephone messages with the public prosecutor during the hearing of 19 August 2021, allegedly coordinating the interruption of the examination of a witness. By a ruling of 23 August 2021, the motion for recusal was rejected on the grounds that the allegations were unsubstantiated and lacked evidentiary support.
42. The ruling did not expressly indicate whether the audio recording of the hearing of 19 August 2021 — explicitly relied upon by the defendant in support of the motion — was examined in substance with respect to the alleged exchange of messages.
43. Upon independent review of the court hearing's recording, no reproach, observation or discussion by the presiding judge or any member of the panel concerning alleged text messages sent by the subject to the public prosecutor during the hearing were identified.
44. In the absence of objective evidence supporting the allegations reported in the media, the Commission finds that the publicly available information does not disclose a serious violation of ethical standards within the meaning of Article 11 para. (2) of Law No. 65/2023.

B. Potential conflict of interests

45. In the context of a pending criminal case examined by a panel of judges of which the subject is a member, certain allegations were raised in the media suggesting possible ethical concerns related to the acquisition of the apartment by the subject's parents (see details about this purchase at §§ 52-82 below). According to the press article, in December 2025, the defense in that criminal case requested the recusal of the subject, arguing that the apartment in which the subject resides had been purchased by her parents from the son of a person who was later heard as a defense witness in that case. The recusal motion was rejected².
46. In the first round of questions, the subject explained that neither she nor her family had any prior personal or professional relationship with the seller of the apartment (V.P.) or his family. She further stated that she had not examined any cases involving V.P. or members of his family prior to the purchase of the apartment, nor any cases involving them after the purchase.
47. The subject also explained that the apartment had been identified through a real estate agent and that the negotiations for the purchase were conducted through intermediaries involved in the transaction.
48. Verification through the PIGD did not identify any judicial cases involving the seller, other persons bearing the same family name, or related entities in which the subject had acted as a judge.
49. The Commission also notes that the purchase of the apartment took place in 2019, whereas the person referred to in the press article was heard as a witness in the criminal case mentioned above in December 2025.
50. Considering the explanations provided by the subject and the information examined by the Commission, no circumstances were identified that would raise concerns regarding the subject's integrity in connection with the acquisition of the apartment and the subsequent hearing of the seller's relative as a witness.

C. Potential inexplicable wealth

51. In its analysis of the subject's household income and expenses, the Commission examined, among others, the circumstances surrounding the

² <https://moldova.europalibera.org/a/avocatii-lui-plahotniuc-au-incercat-fara-succes-sa-obtina-recuzarea-judecatoarei-cucerescu/33628086.html>

acquisition of an apartment and a vehicle, as well as whether the subject could be considered the beneficial owner of these assets.

C.1. Acquisition of a 96.6 sq.m. apartment by the subject's parents

52. The subject does not own any immovable property registered in her name.
53. According to the cadastral database, on 4 October 2019 the subject's parents acquired an apartment located on Calea Ieșilor Street, Chișinău, with surface of 96.6 sq.m. The purchase price was 79,000 EUR (equivalent to 1,534,906 MDL). Of this amount, 43,700 EUR was paid to the seller prior to the signing of the contract, and 35,300 EUR was paid to a leasing company, as the seller had previously concluded a leasing contract in relation to the apartment.
54. On 8 October 2019, four days after the acquisition, the subject changed her residence from an apartment on the Dacia Boulevard in Chișinău, at this new address. However, in her 2019 NIA declaration submitted on 28 March 2020, she did not indicate this apartment as her place of residence. Starting with her 2020 NIA declaration, the subject declared a right of free use (*comodat*) over the apartment. The free-of-charge use contract concluded between the subject and her parents is dated 1 May 2020 and states that she moved into the apartment in May 2020.
55. In the first round of questions, the subject explained that she began residing in the apartment in 2020, at the onset of the pandemic. Prior to that, she stayed there occasionally and contributed to certain maintenance and utility expenses. For part of 2019, she declared residence at an apartment belonging to her brother and his wife, where she lived predominantly to assist with childcare.

C.1.2. Veracity of the price indicated in the sale-purchase contract

56. To verify the plausibility of the price indicated in the contract of 4 October 2019, the Commission examined the available information regarding the previous acquisition of the property by the seller and the market value of the apartment at the relevant time.
57. A written response from "Expert Leasing & Finance" LLC (formerly "Victoria Leasing & Finance" LLC) sent attached the company's financial leasing agreement of 24 May 2018, under which the seller had previously acquired the apartment. According to that agreement, the contractual price of the property was 56,028 EUR. The leasing company also submitted the sale-purchase contract of 25 April 2018 through which it had acquired the property, indicating the same contractual price.

58. The evaluation report of 2 May 2018, prepared shortly before the conclusion of the leasing agreement, estimated the apartment's value at approximately 63,822 EUR, while under the cost approach, the value was at approximately 57,921 EUR³.
59. Therefore, the purchase price of 79,000 EUR, indicated in the sale-purchase contract of the subject's parents, is 22,972 EUR higher than the price reflected in the sale-purchase contract and the financial leasing agreement through which the previous owner had acquired the property. The difference is plausibly explained by the improvements made to the apartment after its acquisition by the seller. The subject explained that her parents purchased the apartment in a renovated condition, whereas the previous owner had acquired the property in a white wall condition (*versiune albă*).
60. Considering this and the explanations provided by the subject, the purchase price of 79,000 EUR does not appear inconsistent with the market value of the property at the time of the transaction.

C.1.3. Origin of funds

61. In the first and second rounds of questions, the subject submitted written explanations from her parents and supporting documents regarding the origin of the funds used for the purchase.
62. According to the statement of 27 January 2026 signed by the subject's parents, attached to the first round of questions, the purchase, valued at 79,000 EUR (equivalent to 1,534,906 MDL), was financed from several sources:
- a) 738,000 MDL (approximately 37,000 EUR), originated from the sale of the parents' previous, smaller apartment located on Dacia Boulevard. The sale-purchase agreement for that apartment was signed on 10 July 2019, several months prior to the acquisition of the apartment on Calea Ieșilor Street. The sale-purchase contract and the tax declaration confirm the

³ According to the evaluation report, the **cost approach** is based on determining the total cost required to reproduce or replace the evaluated immovable property, considering the level of depreciation. The result obtained is then combined with the market value of the land as if it were available for construction, to determine the overall value of the property.

The report further defines **market value** as the estimated amount for which a property could be exchanged on the date of valuation between a willing buyer and a willing seller, after adequate marketing, in an arm's length transaction in which the parties act knowledgeably, prudently and without compulsion.

transaction and the declared capital gain. The sale price appears consistent with market levels at that time.

b) The parents also relied on withdrawals from bank deposits, namely 13,200 USD, 2,200 EUR and 80,000 MDL. However, according to the bank statements, the withdrawals of 13,200 USD (approximately 235,000 MDL) and 2,200 EUR (approximately 43,230 MDL) were made on 11 September 2019, prior to the acquisition of the apartment on 4 October 2019, while the withdrawal of 80,000 MDL was made on 28 October 2019. The sale-purchase contract provided that part of the price was paid prior to signing and the remaining amount within three days after its conclusion. As the latter withdrawal occurred after the contractual deadline for payment of the remaining installment, it does not appear that this amount was used for the payment of the apartment.

c) In addition, the parents indicated that they obtained 5,000 EUR (approximately 98,650 MDL) from the sale of a house in Sărata-Galbenă commune. The property in question had been obtained by the parents through inheritance in 2012 and was sold in 2015. Although the notarized sale-purchase contract dated 21 April 2015 reflected a price corresponding to the cadastral value of 9,704 MDL, a written receipt of the same date, signed by both parties, confirms that the actual transaction price was 5,000 EUR. Publicly available listings from that period for comparable properties in the same locality indicate asking prices in the range of approximately 8,000 EUR⁴. In this context, the declared amount of 5,000 EUR appears plausible and significantly closer to market realities than the value indicated in the contract. As is noted in its previous practice (Alexandru Negru, Report of 12 June 2025, § 54), the Commission acknowledges that understatement of prices is common in the country. This makes it possible that the parents could have obtained the claimed amount from the sale of the property. Any possible underreporting of the sale price for tax purposes cannot be attributed to the subject.

d) The subject contributed 3,500 EUR (approximately 67,800 MDL) from bank loans contracted shortly before the acquisition. In this regard, on 3 October 2019, the subject concluded two credit agreements with Victoriabank, each in the amount of 100,000 MDL. The origin of these funds

⁴<https://imobil.casata.md/index.php?l=ro&scopid=1&tipimobil=12&subtipimobil=149&raionid=5300&locationid=0§orid=0>

is documented by the bank records confirming the disbursement of the loans.

e) Finally, the parents declared family savings of approximately 15,000 EUR (approximately 291,300 MDL). However, taking into account the finding in lit. b) regarding the withdrawal of 80,000 MDL, which appears to have been made after the contractual deadline for payment of the apartment and therefore does not appear to have been used for the transaction, the Commission notes that the amount of savings that would need to cover the remaining difference would be approximately 18,100 EUR (approximately 351,500 MDL).

63. To verify the plausibility of the parents' savings used for the purchase of the apartment, the Commission analyzed the materials submitted by the subject in the first and second round of questions.
64. The subject explained that the family savings were accumulated primarily from the income earned by her mother while working abroad, namely in Israel between 2007 and 2011 and later in Italy. At the time of the apartment purchase in 2019, the subject's mother had already been working in Italy for several years, officially since 8 January 2014, under an employment contract.
65. In the first round of questions, the subject submitted a written declaration signed by her mother, according to which she earned an average annual income of approximately 10,000–12,000 EUR while working in Italy. In support of this statement, the subject provided several salary slips issued by the Italian employer for certain years and an employment contract of 8 January 2014.
66. In the second round of questions, the subject clarified that her mother had not retained all salary slips for the entire period of employment, which is why not all supporting documents could be submitted. However, the subject stated that her mother's average annual income during that period was approximately 10,000 EUR.
67. Based on the available salary slips and the average annual income indicated by the subject, the Commission prepared the table below reflecting the income that can be confirmed through the submitted documents, as well as the income that could reasonably be assumed if the mother worked throughout the entire year and earned approximately 10,000 EUR annually, as indicated in her written declaration.

Year	Average annual exchange rate EUR/MDL	Confirmed from salary slips (EUR)	Confirmed from salary slips (MDL)	Declared annual income in mother's statement (EUR) (confirmed where applicable)	Declared (MDL) (confirmed where applicable)
1	2	3	4 (2*3)	5	6 (2*5)
2014	18.63	4,709.41	87,738.66	10,000.00	186,305.00
2015	20.90	9,590.43	200,463.96	10,000.00	209,025.00
2016	22.06	11,984.17	264,334.84	11,984.17	264,334.84
2017	20.83	10,711.14	223,119.47	10,711.14	223,119.47
2018	19.85	4,177.12	82,912.49	10,000.00	198,492.00
2019	19.67	6,552.56	128,913.10	10,000.00	196,737.00
	Total	47,724.83	987,482.52	62,695.31	1,278,013.31

68. Based on the calculations presented in the table above, the total income confirmed by the submitted salary slips for the period 2014–2019 amounts to 47,724.83 EUR (987,482.52 MDL). If the annual income declared by the subject's mother in her written statement (approximately 10,000 EUR per year) is considered for the years where supporting documents were not available, the total declared income for the same period amounts to 62,695.31 EUR (1,278,013.31 MDL).
69. Having regard to the findings of the Supreme Court of Justice in *Andrian Ciobanu v. Superior Council of Magistracy*, according to which persons working abroad inevitably incur certain living expenses, such as international transport, certain food expenses, telecommunications, local transport, clothing and other daily expenses (Decision of 4 March 2025, § 82), the Commission asked in the second round of questions about the expenses incurred by the subject's mother while working in Italy. The Commission also requested clarification regarding the periods during which the subject's mother was present in the Republic of Moldova, to estimate her living expenses in accordance with the Consumption Expenditure of Population methodology applied by the National Bureau of Statistics.
70. In response, the subject submitted a written explanation signed by her mother. According to that explanation, she stayed in Moldova from January to October 2013; September–October 2014; for one month in 2016; for one month in 2017; for approximately four months in 2018; and for approximately four to five months in 2019. Regarding her expenses while

working in Italy, the subject's mother stated that local transportation costs were covered by the employer, that she spent approximately 100 EUR annually on clothing and around 10 EUR per month on telecommunications. The subject's mother alleged that on certain occasions the employer also covered the cost of travel to the Republic of Moldova, including bus or plane tickets.

71. The table below includes the income confirmed by the available salary slips, which the Commission considers to be the most reliable approximation of the income earned by the subject's mother in Italy during the relevant period. This assessment also considers the statement submitted in the second round of questions regarding the months during which the subject's mother was present in the Republic of Moldova, as the available salary slips broadly correspond to the periods during which she declared that she was working in Italy. The table further includes the Consumption Expenditure of Population, calculated according to the National Bureau of Statistics for the months during which she declared that she stayed in Moldova, as well as the expenses declared by the subject's mother while working in Italy.

Year	Confirmed income (MDL)	CEP Moldova (MDL)	Declared expenses Italy (MDL)	Difference (MDL)
2014	87,738.66	3,535	4,121	80,082.66
2015	200,463.96	0	4,598	195,865.96
2016	264,334.84	2,024	4,849	257,461.84
2017	223,119.47	2,167	4,585	216,367.47
2018	82,912.49	9,177	4,356	69,379.49
2019	128,913.10	12,879	4,334	111,700.10

72. Although the expenses declared by the subject's mother are low and it is most likely that she incurred additional costs, such as international transport and other incidental expenses, the Commission also takes into account the broader socio-economic context of labor migration from the Republic of Moldova, as acknowledged by the Supreme Court of Justice in *Ion Chirtoacă v. Pre-Vetting Commission* (Decision of 26 June 2025, §§ 166, 199, 205).
73. The employment contract submitted to the Commission indicates that the subject's mother worked under a "con convivenza" (live-in) arrangement, meaning that she resided in the household of the assisted person. The contract also provided for the reimbursement of transportation expenses incurred in connection with work-related needs. Under the Italian National Collective Labour Agreement for Domestic Work ("CCNL lavoro domestic")

applicable during the relevant period, the employer is required to provide live-in domestic workers with adequate and sufficient food and suitable accommodation (“vitto e alloggio”)⁵:

„The working environment must not harm the physical or moral integrity of the worker, and the food provided must ensure adequate nutrition in terms of both quality and quantity.

The employer must provide a live-in worker with suitable accommodation to safeguard the worker’s dignity and privacy.”

74. According to data published by the Italian National Institute of Statistics (ISTAT), the minimum consumption basket for a single person in Italy was estimated at approximately 764 EUR per month in 2014, increasing to around 780 EUR in 2019. Under the ISTAT methodology, the largest components of this basket are housing, utilities and food, which together represent approximately 70–80% of the total amount⁶.
75. In circumstances where accommodation and food are provided by the employer under such a live-in arrangement, the main components of the minimum consumption basket are effectively covered in kind. Consequently, applying the statistical consumption indicator would not accurately reflect the subject’s mother’s actual living expenses. While the expenses declared by the subject’s mother may not fully reflect all costs incurred, the Commission accepts that her living expenses could nonetheless have remained modest. In these circumstances, it remains plausible that the subject’s mother was able to save a significant portion of her income.
76. If only approximately half of the income confirmed by the available salary slips (47,724.83 EUR) were saved, this amount would exceed approximately 18,000 EUR referred to above as necessary to supplement the funds used for the purchase of the apartment. The Commission also notes that there is no evidence that the subject’s parents made other significant real estate acquisitions during the relevant period. Official confirmations obtained from the competent authorities indicate that they did not acquire immovable property in the Republic of Moldova or Romania, while in respect of Italy the parents submitted a written declaration stating that they had not

⁵ <https://www.uiltucs.it/wp-content/uploads/2015/09/CCNL-Lavoro-domestico-16-luglio-2013.pdf>;

https://www.inps.it/content/dam/inps-site/pdf/allegati/CCNL_EBILCOBA.pdf

⁶ <https://www.istat.it/dati/calcolatori/soglia-di-poverta/>

purchased any immovable property there. They are currently residing in the countryside, in the Republic of Moldova, and were therefore unable to obtain official confirmation from the Italian authorities.

77. The subject's mother had worked abroad prior to her employment in Italy, including in Israel, as mentioned above. The subject submitted photographs of visas affixed in her mother's passport indicating the right to work during the period 2008–2011. In these circumstances, it is possible that the subject's mother accumulated additional savings during that earlier period of employment abroad, particularly in the absence of evidence that the subject's parents made other significant acquisitions.

C.1.4. Conclusion regarding the acquisition of the apartment

78. Given that the subject has been using the apartment since the time of its acquisition and because she had independently declared the beneficial use since her 2020 NIA declaration, the Commission examined whether the subject's parents had sufficient funds for the acquisition and whether the purchase price shouldn't be attributed in full to the subject.
79. The analysis presented above regarding the origin of the funds used for the acquisition does not suggest that the property was acquired at the subject's expense. The evidence examined shows that the purchase was financed primarily from the parents' own financial resources, including the proceeds from the sale of their previous apartment, bank deposits, the sale of inherited property and family savings accumulated from employment abroad. The subject's financial contribution was limited to approximately 3,500 EUR, originating from bank loans contracted shortly before the transaction.

Table: Financial resources used for the acquisition of the apartment

Source of funds	Amount (EUR/USD)	Amount (MDL)	Description/Evidence
Sale of previous apartment	~37,000 EUR	738,000	Sale-purchase contract of 10 July 2019; tax declaration confirms transaction
Withdrawals from bank deposits	13,200 USD and 2,200 EUR prior to acquisition	~278,230	Bank statements confirm withdrawals
Sale of inherited house	5,000 EUR	~98,650	Receipt of 21 April 2015; plausible in light of market data

Subject's contribution (bank loans)	3,500 EUR	~67,800	Two loans of 100,000 MDL each, concluded on 3 October 2019
Family savings	~18,100 EUR	~351,500	Savings accumulated mainly from mother's employment abroad
Total	~79,000 EUR	~1,534,180 MDL*	As indicated in the sale-purchase contract

**MDL equivalent is approximate, due to exchange rate variations used for conversion.*

80. Furthermore, the Commission did not identify indications that the subject exercises control over the property in a manner equivalent to the right of disposal without the consent of the legal owners.
81. The Commission also notes that the subject did not conceal her use of the apartment. As a matter of fact, before acquisition of this apartment, she had registered residence in another, smaller apartment belonging to her parents which was sold to finance almost half of the purchase price of the new apartment.
82. Based on these circumstances, as well as documents obtained and explanations provided, any issue in relation to the circumstances of the acquisition of this apartment has been fully mitigated.

C.2. Possible beneficial ownership of a vehicle

83. On 15 May 2018, the subject's father registered ownership of a Nissan Qashqai, m/y 2010. According to customs records, on 12 May 2018 the subject's father imported this vehicle with a declared customs value of 60,000 MDL and customs duties in the amount of 22,403.37 MDL.
84. According to the subject's NIA declarations, she has used this vehicle since 2020 based on free-of-charge use agreement. The subject consistently indicated her father as the owner of the vehicle.
85. In the first round of questions, the subject explained that the vehicle had been identified by her brother on a specialized car sales website. The import was arranged through a third person who travelled to Switzerland to bring the vehicle to the Republic of Moldova. According to the subject, the payment was made in cash by handing the money to that person on the day of departure. According to her explanations, the vehicle was imported in good condition and did not require repairs. She also stated that after the beginning

of the COVID-19 pandemic her parents decided that she should begin using this vehicle.

C.2.1. Veracity of the purchase price, origin of funds and assessment of possible beneficial ownership

86. In the first round of questions, the subject submitted a written declaration signed by her father stating that the vehicle had in fact been purchased for 6,000 EUR (approximately 120,000 MDL), rather than the amount of 60,000 MDL reflected in the customs documentation. Information obtained from the Customs Service indicates that the declared customs value of comparable vehicles ranged between approximately 80,000 MDL and 140,000 MDL. In this context, the amount of approximately 6,000 EUR indicated in the father's declaration appears plausible and more consistent with the market value of similar vehicles at that time.
87. As regards the origin of the funds used for the purchase, the subject explained that the vehicle was acquired from family savings and income earned by the subject's mother while working abroad. The Commission notes that the analysis presented above concerning the acquisition of the apartment already demonstrates that the parents had the financial capacity to accumulate sufficient savings from the mother's income abroad. In addition, the financial analysis above considered only the income earned by the subject's mother abroad. The Commission notes that during the period 2013–2018 the subject's father also earned approximately 190,000 MDL from employment in the Republic of Moldova. During the same period, the household also received approximately 140,000 MDL in interest from bank deposits. Considering these circumstances, the Commission finds that the parents had sufficient financial capacity to purchase the vehicle in question from their own resources.
88. Unlike in other cases (*e.g.* Fujenco, Dulghieru) examined by the Commission, the available information does not suggest that the vehicle was acquired for the use of the subject or her household from the outset. The vehicle was purchased and registered in the name of the subject's father in 2018, while the subject began using it only later, around 2020. The Commission also notes that the subject sold her own vehicle, a Volkswagen Polo, m/y 2004, on 20 November 2019. The use of the vehicle by the subject is formally reflected in her NIA declarations as a right of free use granted by the owner. There is no evidence that the subject was involved in identifying or arranging the purchase of the Nissan Qashqai or in the transaction related to its acquisition.

89. Throughout the relevant period, the mandatory civil liability insurance (RCAI) policies indicate the subject's father as the primary insured driver. The Commission also notes that, on 18 July 2025, the subject acquired a Hyundai Kona, m/y 2025 (a transaction with a value of 486,776 MDL, of which 300,000 MDL was financed through a bank loan). Notwithstanding this, in December 2025 the subject's father renewed the RCAI insurance for the Nissan Qashqai, which further supports the conclusion that he continued to use and retain control over the vehicle.
90. Considering the above, the Commission does not find indications that the subject is the beneficial owner of the Nissan Qashqai vehicle. Accordingly, the Commission did not attribute the acquisition cost of the vehicle to the subject when calculating the financial flows of the subject's household.
91. The Commission also notes that, throughout the evaluation period, the financial integrity analysis of the subject's household revealed positive annual balances. For example, for each of the years 2015–2018 the household recorded a positive balance of approximately 100,000 MDL. These figures indicate that the household had sufficient disposable resources during that period and could reasonably afford the purchase of a comparable vehicle. In such circumstances, there is no indication that the vehicle would have needed to be registered in the name of the subject's father to conceal the subject's ownership.

VI. Conclusion

92. Based on the information obtained and that presented by the subject, the Commission proposes that the subject promotes the external evaluation made according to the criteria set in Article 11 of Law No. 65/2023.

VII. Further action and publication

93. As provided in Article 25 para. (3) 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.
94. No later than three days after the approval, a printed paper copy of the report, electronically signed by the Chairperson, will be submitted to the Superior Council of Magistracy, along with the original electronic copy of the evaluation file containing all the evaluation materials gathered by the Commission.

95. 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.
96. This evaluation report was approved by unanimous vote of the participating members on 30 March 2026 and signed pursuant to Article 8 para. (1) and (2) of Law No. 65/2023.
97. Done in English and Romanian.

Andrei Bivol

Chairperson