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# RE-EVALUATION REPORT

approved according to Article 41

of the Rules of Organization and Functioning

**PETRU TRIBOI**

Interim President of the Ungheni District Court

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

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21 April 2026

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Evaluation Panel D of the Commission (hereinafter the “Commission”) established by Law No. 65/2023 on the External Evaluation of Judges and Candidates for Judges of the Supreme Court of Justice and discharging the powers under Law No. 252/2023 on the external evaluation of judges and prosecutors and amending some normative acts (hereinafter “Law No. 252/2023”) deliberated on the matter on 27 March 2026 and approved the following report on 21 April 2026. The members participating in the approval of the report were:

1. Marcel van de WETERING
2. Lilian ENCIU
3. Iurie GAȚCAN

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

## **I. Introduction**

1. On 9 December 2025, the Commission approved the report concerning Mr. Petru Triboi (hereinafter the “subject”) under Law No. 252/2023. It proposed that the subject does not promote the external evaluation conducted pursuant to the criteria set out in Article 11 of Law No. 252/2023 (hereinafter the “initial evaluation report”).
2. On 20 January 2026, the Superior Council of Magistracy (hereinafter the „SCM”), by Decision No. 4/1, rejected the initial evaluation report and ordered the resumption of the evaluation procedure (hereinafter the “SCM’s decision”).
3. The Commission conducted its resumed evaluation pursuant to Law No. 252/2023 and the Commission’s Rules of Organization and Functioning (hereinafter the “Rules”).
4. Following the re-evaluation, the Commission concluded that the subject meets the financial integrity criteria set out in Article 11 of Law No. 252/2023.

## **II. Grounds for the resumed evaluation**

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

“By a reasoned decision adopted no later than 30 days after receipt of the documents referred to in Article 17 para. (6), the Superior Council of Magistracy shall: [...] reject the evaluation report and decide, once only, that the evaluation procedure of the judge be reopened if it finds factual

circumstances or procedural errors which could have led to the passing or, as the case may be, the failure to pass the evaluation. “

6. Under Article 20 of Law No. 252/2023:

“(2) When resuming the evaluation procedure, the Evaluation Commission shall examine the aspects indicated by the respective Council or, as the case may be, by the Supreme Court of Justice, as well as any additional information which, for objective reasons, could not be submitted previously. If the subject of the evaluation agrees, the Commission shall organize repeated hearings. The subject’s agreement or, as the case may be, refusal, shall be communicated to the Evaluation Commission within 3 working days from the date of the Commission’s request.

(3) The report on the re-evaluation of the subject shall be adopted by the Evaluation Commission in accordance with the rules set forth in Article 17.”

7. The initial evaluation report concerned: (i) a loan of 15,000 EUR contracted from the subject’s father-in-law in 2020; (ii) the potential beneficial ownership of a Toyota Yaris, m/y 2019; (iii) the acquisition and renovation of an apartment in Nisporeni; (iv) the declared purchase price of a Mercedes E220 CDI acquired in 2018; (v) the declared purchase price of an apartment in Chişinău acquired in 2020; and (vi) a loan of 25,000 EUR allegedly granted in 2021 by I.T.
8. The Commission identified a negative balance of 405,384 MDL for 2021. This resulted exclusively from the non-acceptance of the above mentioned 25,000 EUR loan as an incoming financial flow. No other examined matter led to non-compliance with the financial integrity criterion, as the initial concerns were mitigated considering the explanations provided by the subject and the supporting documentary evidence.
9. The SCM disagreed with the assessment regarding the loan of 25,000 EUR. At the same time, SCM concurred with the determinations concerning the other matters examined.
10. The SCM identified the existence of new relevant factual circumstances — namely additional documentary evidence concerning the creditor’s financial capacity, including bank statements, consignment contracts, and tax-related information from Italy — which were submitted by the subject after the initial evaluation report. The SCM retained that the failure to submit the documents at the initial stage was due to an objective impossibility, independent of the subject’s will, caused by the creditor’s initial refusal (see § 3.8 of the SCM’s decision).

### III. Resumed evaluation procedure

11. On 6 February 2026, the Commission received the SCM's decision. Although the SCM's decision was based on additional documents submitted by the subject after the initial evaluation report – as noted in § 10 above – those documents were not annexed to the decision transmitted to the Commission.
12. On 9 February 2026, the Commission addressed a formal request to the SCM seeking the transmission of the additional materials to them.
13. The initial evaluation was carried out by Panel D, composed of Scott Bales, Lilian Enciu and Iurie Gațcan. On 9 February 2026, because of the resignation of Scott Bales, the subject was informed that the panel had been reconstituted. The new composition of the panel consisted of Lilian Enciu, Iurie Gațcan and Marcel van de Wetering.
14. On 19 February 2026, the Commission received the requested materials from the SCM.
15. On 17 March 2026, the Commission notified the subject that based on the information collected and reviewed during the resumed evaluation, it intends to discuss the matters referred to in the SCM's decision about the subject's compliance with the financial criteria and invited him to attend a public hearing.
16. As provided in Article 26 para. (4) of the Rules, the subject could have requested access to all the materials in his re-evaluation and initial evaluation file. However, the subject decided not to exercise this right.
17. On 27 March 2026, the Commission held a public hearing. At the hearing, the subject stated that he did not have any corrections or additions to the answers previously provided to the Commission's requests for information.

### IV. Analysis in the resumed evaluation

18. The Commission analyzed the matter addressed in the initial evaluation report and highlighted in the SCM's decision as requiring re-examination, namely the alleged loan of 25,000 EUR granted in 2021 by I.T. and its impact on the financial balance for 2021.

#### 1. Commission's initial findings (Report of 9 December 2025, §§ 73–85)

19. In the initial evaluation, the Commission examined the alleged loan of 25,000 EUR declared by the subject in 2021 as having been granted by I.T. The loan was documented through a simple written agreement dated 13 September

2021, interest-free, with a 10-year repayment term. The subject stated that the amount had been handed over in cash.

20. The creditor submitted written explanations indicating that he had worked in Italy as a truck driver for many years and had accumulated savings together with his wife. He stated that the loan was granted based on a longstanding personal relationship and that he later requested early repayment to support his daughter in purchasing an apartment.
21. Despite several rounds of questions to the subject and written requests directed to the creditor — in which it was expressly requested, *inter alia*, a creditor's bank account statement and a detailed list of immovable and movable assets held in Italy — the creditor limited his responses to general statements, indicating that he had sold an Audi A8 vehicle in 2021 and that he was servicing a mortgage loan. However, he did not provide supporting documentation such as bank statements, sale contracts, payment confirmations, or detailed information regarding his living expenses or assets held abroad. Although certain income certificates were submitted, most of them concerned periods after 2021 and therefore did not sufficiently clarify his financial capacity at the time the loan was allegedly granted.
22. Based on estimated household income and EUROSTAT data regarding average living expenses in Italy, the Commission concluded that a substantial portion of the creditor's income would likely have been consumed by ordinary living costs and mortgage obligations. The creditor also maintained a mortgaged property and made vehicle-related payments.
23. Furthermore, the subject had already undertaken significant financial obligations in 2020 and 2021, including a 15,000 EUR loan from his father-in-law and a mortgage loan under the Prima Casa program. The accumulation of multiple debts within a short timeframe raised concerns regarding the economic rationale and plausibility of the alleged loan.
24. Considering the limited documentary substantiation and the absence of verifiable evidence of sufficient savings, the Commission concluded that it was highly probable that the loan had not taken place as declared. Consequently, the 25,000 EUR was excluded from the incoming financial flows for 2021, which resulted in a negative financial balance of 405,384 MDL for that year — exceeding the statutory threshold.

**2. SCM's findings (Decision of 20 January 2026, §§ 2.1-2.8, 3.8)**

25. The SCM found that the conclusion regarding the alleged non-existence of the loan had been reached under incomplete evidentiary conditions, primarily due to the absence of certain financial documents at the time of the initial evaluation.
26. During the SCM hearing of 20 January 2026, additional documentary evidence submitted by the subject was accepted. These included bank statements, consignment sale contracts and tax-related information from Italy concerning periods prior to the granting of the loan. The SCM considered that these documents could provide additional insight into the creditor's financial capacity and the reality of the legal relationship invoked.
27. The SCM accepted the explanation that the documents had not been presented earlier due to an objective impossibility, independent of the subject's will, caused by the creditor's initial refusal to disclose personal financial information.
28. According to the SCM, the newly submitted documents, corroborated with the declaration of the loan before the National Integrity Authority, could indicate — on the balance of probabilities — the real nature of the loan.

**3. Commission's assessment in the resumed evaluation**

29. The absence of the newly submitted documents in the initial evaluation was not attributable to the subject's conduct, but to the initial reluctance and evasiveness of the alleged creditor. See details in § 78 of the initial evaluation report.
30. The most relevant new materials were the bank statements for the shared EUR account No. \*\*\*\*7527 opened at "Credit Agricole Friuladria Bank" in Italy, held jointly by I.T. and his wife.
31. According to it, during the period 2017–2021 the creditor's household obtained a total net salary income of 230,248 EUR.
32. The subject also submitted two consignment sale contracts:
  - a. a contract dated 17 March 2020 for the sale of a BMW motorcycle (net proceeds 6,930 EUR);
  - b. a contract dated 25 August 2021 for the sale of an Audi A8 (net proceeds 9,000 EUR).

33. The bank statements also reflect structured expenditures of mortgage payments, vehicle installment payments, retail expenses and cash withdrawals. A summary of the financial situation of the creditor's household for the period 2017–2021, as reflected in the submitted bank statements, is presented below:

Year	Income, EUR	Cash Withdrawal, EUR	Retail, EUR	Mortgage, EUR	Vehicle Installments, EUR	Other Expense, EUR	Bank savings at the end of the year, EUR
2016	-	-	-	-	-	-	2,338
2017	40,756	15,650	8,832	7,780	4,504	-	1,731
2018	43,495	13,413	14,194	7,777	4,504	2,625	2,199
2019	49,230	13,661	16,743	7,780	3,754	6,529	1,056
2020	55,129	7,422	15,546	7,780	4,502	9,441	881
2021	41,638	1,237	10,292	7,119	4,129	15,291	635
<b>Total</b>	<b>230,248</b>	<b>51,383</b>	<b>65,607</b>	<b>38,236</b>	<b>21,393</b>	<b>33,886</b>	<b>6,502</b>

34. The overall volume of cash withdrawals (*i.e.* 51,383 EUR), considered in light of the documented expenditure structure—namely the fact that major fixed obligations such as mortgage payments, vehicle financing installments, and substantial retail and supermarket expenses were paid electronically—may indicate that a portion of the withdrawn cash was not immediately consumed for recurring household expenses.
35. The consignment sale contracts of the motorcycle and the Audi A8 submitted do not expressly specify the method of payment. In the absence of corresponding entries reflecting these amounts in the analyzed bank account, as well as in the absence of cash deposit operations carried out shortly after the respective sales, it is likely that the transactions were settled in cash – attesting to higher cash holdings than those evidenced by the bank statements.
36. The individual cash withdrawals reflected in the bank statements were reflected in the annex to the hearing notice. In multiple instances, the withdrawn amounts ranged from several hundred euros to sums exceeding

1,500–2,000 EUR per transaction. While the mere size of these withdrawals does not, in itself, prove the accumulation of savings, the substantial volume of these transactions — assessed in conjunction with the documented expenditure pattern — supports the reasonable possibility that a portion of the funds was retained rather than immediately spent.

37. Because the creditor noted in the initial evaluation (written explanation dated 8 August 2025) that his children had chosen to remain in the Republic of Moldova, this factor was considered when assessing his financial situation. Accordingly, under a conservative scenario—assuming that only approximately half of the withdrawn cash was retained rather than spent—the resulting amount would exceed the 25,000 EUR loan under examination.
38. The bank statements also indicate that the creditor’s household-maintained bank savings at the end of each year during the analyzed period. This indicates that the household did not fully exhaust its income through current expenditures and maintained positive balances at year-end.
39. It is also relevant that the analyzed statements cover the five-year period preceding the loan (2017–2021). The creditor’s professional activity in Italy reportedly dates back early 2000s. It cannot be completely excluded that the creditor made savings prior to 2017.
40. The bank statements submitted are comprehensive, allowing for a structured construction of the creditor’s financial profile over several years. They clearly reflect regular mortgage payments, vehicle financing installments, insurance premiums, and other identifiable transactions linked to immovable and movable assets. In particular, the statements corroborate the creditor’s general assertion that he was servicing a mortgage loan, as the monthly mortgage installments are consistently recorded. The documented payments relating to sales and then subsequent purchase of vehicles and other significant expenditures likewise provide concrete evidence of asset-related financial commitments.
41. Although expressly requested in the initial evaluation, no formal certificate from Italian authorities or comprehensive asset inventory was provided by the creditor. The level of detail reflected in the bank statements allowed, however, to identify asset-related financial commitments and a sufficiently reliable assessment of the creditor’s financial capacity.
42. As noted in the initial evaluation report, the border-crossing data obtained from the General Inspectorate of Border Police confirms that the creditor was

present in the Republic of Moldova between 2 and 14 September 2021. The loan agreement is dated 13 September 2021, which falls within this period of stay.

43. The creditor stated that the amount of EUR 25,000 had been introduced into the Republic of Moldova in cash by himself and his wife over several years and was personally handed to the subject. Although the Border Police database is limited to the preceding five years, for the year 2021 alone the Commission identified two entries of the creditor into the Republic of Moldova: (i) 26 June 2021 – 2 July 2021, and (ii) 2 September 2021 – 14 September 2021, together with his wife.
44. These entries, particularly the presence of both spouses in September 2021, could indicate that amounts below the declarable threshold could have been lawfully introduced without triggering a mandatory declaration.
45. Publicly available photographs identified on social media platforms (Facebook), dating back to 2014, depict the subject and the creditor together during vacations in Romania. While such material does not constitute financial evidence, it may support the existence of a longstanding personal relationship between the parties, which is consistent with the narrative of a personal loan granted on amicable terms.
46. The fact that the loan was declared in the 2021 National Integrity Authority declaration constitutes an additional element of consistency, as it indicates that the subject reported the financial obligation in a formal legal context, not merely during the evaluation procedure.
47. Having reassessed the evidentiary record, the Commission concludes that the newly submitted materials substantially clarify the creditor's financial capacity and sufficiently mitigate the doubts previously identified. Consequently, the amount is recognized as an incoming financial flow for 2021, and the financial imbalance previously identified for that year is no longer established.

## **V. Conclusion of the resumed evaluation**

48. 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.

**VI. Further action and publication**

49. As provided in Article 40 para. (4) of the Rules, this re-evaluation report will be sent by e-mail to the subject and the Superior Council of Magistracy. The Commission will publish the re-evaluation's result on its official website on the same day.
50. No later than three days after the approval, a printed paper copy of the report, electronically signed, will be submitted to the Superior Council of Magistracy, along with the original electronic copy of the re-evaluation file containing all the evaluation materials gathered by the Commission.
51. This report will be published on the Commission's official website, with appropriate precautions to protect the privacy of the subject and other persons, within three days after the expiry of the appeal period against the decision of the Superior Council of Magistracy or after the Supreme Court of Justice issues its decision rejecting the appeal or ordering the promotion or non-promotion of the evaluation.
52. This re-evaluation report was approved by a majority of the participating members on 21 April 2026 and signed pursuant to Articles 33 para. (2) and 40 para. (5) of the Rules.
53. Done in English and Romanian.

Marcel van de Wetering,

Chair of the Panel D

Vice-Chairperson of the Commission