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EVALUATION REPORT

approved according to Article 40

of the Rules of Organization and Functioning

NATALIA MĂMĂLIGĂ

candidate for the Central Court of Appeal

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

6 November 2025

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Evaluation Panel A 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 5 November 2025 and approved the following report on 6 November 2025. The members participating in the approval of the report were:

1. Andrei BIVOL
2. Lilian ENCIU
3. Lavly PERLING

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. Natalia Mămăligă (hereinafter the “subject”), candidate for the Central 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 meets the criteria identified in Law No. 252/2023.

II. Subject of the Evaluation

4. The subject has been a judge at Chișinău (Center District) Court, since 2015. In June 2024, she was temporarily transferred to the Central Court of Appeal. This court was known as the Chișinău Court of Appeal until it was renamed on 27 December 2024.
5. Prior to that, the subject was a judicial assistant at Supreme Court of Justice (2007-2015). Between 2004 and 2007, she worked as a specialist in the legal and human resources department at Chișinău City Council, and between 2000 and 2004, she worked as a specialist in the Chișinău town hall. The subject has also been an assistant lecturer at the Academy of Public Administration (2001-2002).
6. The subject received a bachelor’s degree in law in 2000 from the Moldova State University.

III. Evaluation Criteria

7. Under Article 11 para. (1) of Law No. 252/2023, the Commission evaluates the subject's ethical and financial integrity.
8. 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."
9. 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."
10. The applicable rules of ethics and professional conduct for judges in the relevant period were regulated by the:
 - a. Law No. 544 of 20 July 1995 on Status of Judge;
 - b. Law No. 178 of 25 July 2014 on Disciplinary Liability of Judges;
 - c. Judge's Code of Ethics and Professional Conduct No. 8 of 11 September 2015 approved by the Decision of the General Assembly of Judge;
 - d. Judge's Code of Ethics approved by the decision of the Superior Council of Magistracy no. 366/15 of 29 November 2007;
 - e. Guide on the integrity of judges No. 318/16 of 3 July 2018 approved by the Superior Council of Magistracy.

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

17. 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

18. On 5 February 2025, the Commission received information from the Superior Council of Magistracy under Article 12 para. (1) of Law No. 252/2023. The information included the subject's candidacy for the Central Court of Appeal.
19. On 7 February 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. 252/2023 within 10 days from the date of notification (hereinafter, both declarations referred together as the "five-year declaration"). The subject returned the completed five-year declaration and questionnaire on 12 February 2025.
20. On 28 February 2025, the Commission notified the subject that her evaluation file has been randomly assigned to Panel A with members Andrei Bivol, Lilian Enciu, and Lavly Perling. She was also informed that subjects may request, in writing and at the earliest possible time, the recusal of members from their evaluation.
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. 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 backward 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. No source advised 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 (hereinafter "SFS"), the National Office of Social Insurance, the General Inspectorate of Border Police, banks (EuroCreditBank JSC, Eximbank JSC, Moldinconbank JSC, MAIB JSC, Victoriabank JSC, Banca de Finanțe și Comerț (FincomBank) JSC, OTP Bank JSC, Banca Socială JSC, Banca de Economii JSC, Unibank JSC), Office for Prevention and Fight Against Money Laundering, and the Public Service Agency. 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 25 April 2025, the Commission asked the subject to provide additional information by 6 May 2025 to clarify certain matters (hereinafter the "first round of questions"). On 5 May 2025, the subject requested an extension until 12 May 2025 to respond, which the Commission granted. The subject provided answers and documents within the extended deadline.
26. On 24 June 2025, the Commission asked the subject to provide additional information by 6 July 2025 to clarify certain matters (hereinafter the "second round of questions"). The subject provided answers and documents within the deadline.
27. On 11 August 2025, the Commission asked the subject to provide additional information by 21 August 2025 to clarify certain matters (hereinafter the "third round of questions"). The subject provided answers and documents within the deadline.
28. On 1 October 2025, the Commission asked the subject to provide additional information by 8 October 2025 to clarify certain matters (hereinafter the "fourth round of questions"). The subject provided answers and documents within the deadline.
29. On 24 October 2025, the Commission notified the subject that, based on the information collected and reviewed, it had not identified any areas of doubt

regarding her compliance with the financial criterion and had not established non-compliance with the ethical integrity criterion. 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 previously provided information, the Commission would, absent any new information or developments, approve a report indicating passing the evaluation. The subject was also informed that the evaluation report may refer to other issues considered during the evaluation.

30. As provided in Article 39 para. (4) of the Rules, the subject could have requested access to all the materials in her evaluation file at least seven days before the hearing. However, the subject decided not to exercise this right.
31. On 5 November 2025, 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. She 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

32. This section discusses the relevant facts and reasons for the Commission's conclusion.
33. 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 breaches related to the subject's judicial decisions;
 - b. compliance with the wealth and personal interests declaration regime;
 - c. potential difference between the assets, expenses, and income (hereinafter "unjustified or inexplicable wealth") for 2015.

A. Potential ethical breaches related to the subject's judicial decisions

34. The Commission received one petition complaining about the decisions issued by the subject. This case merited further review for potential ethical breaches.
35. The case concerns several of the subject's rulings (*încheieri*). On 20 January 2020, the subject confirmed a 2019 settlement agreement (*tranzacție de împăcare*) in which the debtors (the petitioner and his husband) acknowledged a debt of 1,747,806 MDL, payable within five days. The court

- also issued an enforcement writ allowing recovery from a mortgaged apartment if payment was not made.
36. On 4 September 2020, the subject admitted, for examination, a bailiff's decision dated 25 August 2020 transferring ownership of the apartment from the debtors to the creditor as part of debt enforcement.
 37. On 19 November 2020, the subject confirmed the legality of the bailiff's decision of 25 August 2020 and approved the transfer of ownership of the apartment. The subject issued this ruling despite the existence of another ruling on the same matter and parties, issued on 24 August 2020 by another judge of the Chişinău court (and upheld by the Court of Appeal on 16 November 2020), which reached a different conclusion.
 38. Under Article 185 para. (1) lett. q) of the Code of Civil Procedure, "the judge shall rule on the parties' requests to strike out the application (*scoaterea cererii de pe rol*)."
 39. Under Article 267 lett. d) of the Code of Civil Procedure, the court shall strike out the application (*scoate cererea de pe rol*) "if the dispute between the same parties, concerning the same subject matter and on the same grounds, is pending before the same court or another court." Pursuant to Article 265 lett. b) of the Code of Civil Procedure, the court shall terminate the proceedings if "in a dispute between the same parties, concerning the same subject matter and on the same grounds, a final and binding judgment has been issued."
 40. In response to the third round of questions (Question 1 lett.b), the subject explained that, on 4 September 2020 and on 19 November 2020, the court was unaware of the ruling dated 24 August 2020 concerning an identical dispute. The Commission has no evidence to suggest otherwise. Furthermore, the petitioner did not indicate that she had informed the court of this fact, nor did she request the court to strike out the application or to terminate the proceedings for this reason.
 41. Regarding the ethical integrity requirements under Article 11 para. (2) lett. a) of Law No. 252/2023, 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 and prosecutors (Constitutional Court Judgment No. 2 of 16 January 2025, § 185). Additionally, it noted that the Commission should not rule on the legality of the judges' decisions.
 42. Considering the information in its possession, the Commission concludes that the subject's rulings in this case, although problematic, do not reflect a

serious violation of ethical standards as required under Article 11 para. (2) lett. a) of Law No. 252/2023.

B. Compliance with the wealth and personal interests declaration regime

43. The Commission identified five instances of non-declarations that could have constituted potential breaches of the NIA declaration regime.

The first instance

44. The subject failed to declare the "value of the asset" or real value of two plots of land located in Varnița village, one on Sadovaia street (0,0591 ha.) and one on Dnestrovscaia street (0,0609 ha.). For the plot of land from Sadovaia street, the period of non-declaration concerns the years 2022-2023, for the other land - only the year 2023. Below is the relevant line from the declaration form where the subject should have disclosed the real value.

A. Land													
Name of beneficial owner	Cadastral number/location	Category	Method of acquisition	Year of acquisition	Area	Share	The document confirming the origin of the goods	Value of the asset	Market value of the asset	Reason for the difference between the value of the asset and the market value of the asset	Owner of the asset	Type of owner	Identification information of the owner other than the beneficial owner

45. In the 2024 NIA declaration, the subject declared the real value of these two lands (160,466 MDL and 146,358 MDL respectively). Until then, these plots of land were valued either at „0” (2017-2021 NIA declarations) or, in the case of that located on Sadovaia street, at 1,843 MDL (2022-2023 NIA declarations).
46. In the first round of questions (Questions 56, 57), the subject mentioned that her family has had the right to use these plots of land since 2017, as members of fruit-growing associations. In 2017, the subject paid 7,500 EUR and 7,000 EUR, respectively, for each of them, including the holiday houses (*căsuțe de vacanță*) built on them in 1989 (receipts presented).
47. In the third round of questions (Questions 11, 12), the subject explained that ownership of these lands was registered in the cadaster only in 2022 and 2023, respectively, based on sale-purchase contracts with the administrative unit Varnița dated 2022 and 2023, respectively. The contractual price of the plots of land was 1,843 MDL and 1,899 MDL, respectively. According to the subject, there were difficulties linked to the cadastral documentation from the region where the plots of land are located. The subject explained that she did not include in the NIA declarations the real value of these properties

because she could not separate the price for the plot of land and the house from the total amount paid.

The second instance

48. The subject did not declare the right of use over two holiday houses located on the above lands in Varnița between 2017 and 2020. From 2021 to 2024, these were included in NIA declarations under the buildings and constructions category.
49. In the third round of questions (Question 12), the subject explained that she did not declare the holiday houses because her family had no rights over them. Only on 24 January 2025 and 27 February 2025 was the ownership registered in the cadaster based on certificates regarding the construction of the building. According to the subject, only with the entry into force of the Urban Planning and Construction Code No. 434/2023 (on 30 January 2024) did it become possible, even for unauthorized constructions such as holiday houses on the land of fruit-growing cooperatives, to register them in the cadaster in a simplified manner.

The third instance

50. The subject did not declare the right of habitation in the 2013-2015 NIA declarations. In the first round of questions (Question 50), the subject stated that between 2012 and 2022 she had habitation rights in an apartment on Mircea cel Bătrân Street, Chișinău (referred to below as apartment No. 2), owned by her parents. On 4 July 2023, she registered her ownership in the cadaster under the contract of alienation, with the condition of lifetime maintenance.
51. In response to the second round of questions (Question 3), the subject admitted that the non-declaration of the right of habitation in the apartment on Mircea cel Bătrân street, is an unintentional omission on her part. At the time of filing the declaration of assets for 2014, she claimed to have consulted the National Integrity Commission and was informed that in Chapter II, Section 2 of the declaration, the real estate held with the right of ownership was to be included.

The fourth instance

52. The subject did not include the contract for investment in the construction of residential space in the 2014-2015 NIA declarations, either as a claim (*creanță*) or as an ownership right over the future apartment located on Ceucari Street, Chișinău. The notification to the cadastral authority of this contract, dated 4

September 2014, was included only in the 2016 NIA declaration. The subject acquired ownership of the Ceucari apartment on 10 April 2017. This apartment was sold on 27 April 2017.

53. In the second round of questions (Question 4), the subject stated that the interpretation of the legal provision of Law No. 1264/2002 would lead to the conclusion that the declaration of assets and personal interests should include real estate owned and/or contracts of transfer of ownership.

The fifth instance

54. The subject failed to declare two loans. One of 14,300 MDL contracted by the subject's husband in 2013 from Mobiasbancă and the second of 6,359 MDL contracted in 2016 from Easy credit. In the second round of questions (Questions 5, 8), the subject indicated that the non-declaration was due to an unintentional omission.

The Commission's assessment

55. The Commission notes that only the first and the second (for the year 2020) non-declarations fall within the five-year term provided by Article 11 para. (2) lett. a) of Law No. 252/2023.
56. Concerning the first non-declaration, the Commission notes that Law No. 130 of 7 October 2021 established that declarants must indicate the real value of immovable property they own. Subsequently, Law No. 96 of 14 April 2022 introduced a more specific rule: declarants must declare the real value of immovable property if the property was acquired in or after 2018. Both laws explain "real value" as the actual price paid for such property and the costs of improving or repairing it.
57. Although the subject explained that she did not know the real value of the plots of land and the real value of the holiday houses, she complied with the legal obligation to declare the real value of the plots of land while filing the 2024 NIA declaration. The Commission acknowledges that the obligation to declare the real value of the immovable property acquired in and after 2018 was recent and a period of transition and adaptation to a new declaration requirement may have been appropriate. However, the law concerned did not provide such a transitional provision.
58. On the other hand, the Commission notes that the subject disclosed to the Commission the real price paid back in 2017 for the plots of land (including the holiday houses) and submitted receipts confirming the full payment.

These expenses do not create a negative balance or inexplicable wealth for the year concerned.

59. As regards the second non-declaration, the Commission notes that it concerns only 2020 and does not appear intended to conceal the right to use the holiday houses, given that the subject began declaring them in 2021. According to Article 4 para. (1) lett. a) of Law No. 133/2016, the subjects of declaration are obliged to declare any immovable property, including unfinished constructions, in the country and abroad, owned, with the right of usufruct, use, habitation, superficies by the subject of the declaration, his family members and his cohabiting partner, or in their possession on the basis of mandate, commission, fiduciary administration, or transfer of possession and use contracts.
60. From 2021 to 2024, the subject's NIA declarations include the right of use over these holiday houses, except for the holiday house on Sadovaia street, for which ownership was declared in 2024. The subject's explanations for the failure to declare in 2020 the right to use the holiday houses (saying she had no rights over them) are inconsistent with her subsequent actions.
61. At the same time, the difficulties raised by the subject regarding the availability of the cadastral documentation and the lack of a legal framework are not relevant, as they concern the registration of ownership rights and do not justify the failure to declare the use of these holiday houses based on the 2017 receipts.
62. In addition, the subject confirmed that their family incurred reparation expenses for these holiday houses in the period 2017-2024 (Round 1 Question 56 lett.b), Question 57 lett.b)). These expenses, excluding those that were unquantifiable and seemingly insignificant, were reflected in the NIA declarations for 2023 and 2024, the years in which the law requires the declaration of expenses related to procured services.
63. Although the analyzed two instances of non-declaration raise certain concerns, the Commission concludes that the described omissions do not meet the threshold of serious breaches of ethical rules under article 11, para. (2) lett. a) of Law No. 252/2023, as clarified by the Constitutional Court (see § 42 above). As noted earlier, the failure to declare the real cost of plots of land do not create a negative financial balance for the year of purchase, and the omission to declare the right of use over the holiday houses built on those plots of land does not appear to have been intended to conceal information, given that the subject began declaring them in 2021.

C. Potential difference between the assets, expenses, and income (hereinafter “unjustified or inexplicable wealth”) for 2015

64. In its analysis of the subject’s household income and expenses, the Commission identified potential difference between the incoming and outgoing financial flows (negative balance) for only one year: -110,973 MDL in 2015.
65. The Commission analyzed, among others, the potential beneficial ownership over three apartments and one non-residential immovable located in Chişinău and owned by the subject’s parents. This was done because of doubts regarding the parents’ financial ability to purchase those properties. The analysis was focused on whether the subject used or otherwise benefited from each property and whether the related expenses should have been attributed to the subject. After describing the relevant circumstances concerning the acquisition of these properties and other related issues, this report presents the inexplicable wealth for the identified year.

1. Potential beneficial ownership over several immovables in Chişinău

66. 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 the persons indicated in Article 33 para.(4) and (5) of Law No. 132/2016 regarding the National Integrity Authority.
67. Under Article 33 para. (4), (5) of Law No. 132/2016, if it appears that the assets of the subject have been registered in the name of other persons, the control will also extend to these assets and persons. If the subject indicated income and goods obtained from donations or possesses assets based on a free-of-charge lease, the control will also extend to the donor and the lessor who provided the goods free of charge.
68. The Commission notes that the Constitutional Court, referring to the European Court of Human Right’s case law, has recognized that it may be legitimate to take account of the income and declarations of the official’s spouse, partner or other members of the immediate family in assessing the official’s compliance with anti-corruption laws (see, Constitutional Court Judgement No. 2 of 16 January 2025, § 209).

Acquisition, usage and sale of a 73.5 sq.m. apartment on Mircea cel Bătrân street, Chişinău (hereinafter the “apartment No.1”)

69. On 21 October 2005, the subject's mother signed the investment contract for the construction of apartment No. 1. At that time, the subject was 26 years old, married, and had one child. She was a legal and human resources specialist at Chişinău City Council. The contractual purchase price was 208,399 MDL (equivalent of 15,437 EUR according to the contract) and was to be paid upon signing the contract. According to the cadaster data, the subject's parents registered ownership of this apartment on 11 September 2012 based on the deed of transfer.
70. In the first round of questions (Question 55 lett. f), the subject stated that her parents invested in the construction of three apartments on Mircea cel Bătrân Street when the building was still in its early stages. The subject added that her family did not participate in this investment, and that it was her parents' decision to provide for their children (three girls) a place to live.
71. The subject explained that because her family, the youngest sister who was a student and the family of her other sister — had nowhere to live, the subject's mother insisted in 2010 that the construction company allow interior finishing work earlier. The first one was started by her mother in apartment No. 1, even though the apartment building was not connected to the natural gas and drinking water networks. According to the subject, since autumn 2010, she has lived there with her two children. The subject's sister, her husband and their two children also lived in that apartment, as did the subject's other younger sister. In the meantime, interior finishing work was also carried out in apartment No. 2.
72. In 2012, when the subject's husband returned from a diplomatic mission, she moved together with him, two children, and her younger sister's family into apartment No. 2, which was larger (Round 1 Question 55 lett. f), Round 2 Question 11 lett. a), Round 4 Question 2 lett. b)).
73. According to the subject, she also occasionally lived in apartment No. 1 with her two children after 2012, alongside the families of her two sisters (Round 4, Question 2, lett. b)).
74. Through the power of attorney, the subject's parents authorized A.P., their son-in-law (and the subject's brother-in-law), to sell this apartment to a third party on 21 February 2017. The contractual sale price was 260,000 MDL, despite the declared real price as indicated in § 86 below. The cadastral value indicated in the contract was 425,388 MDL.

Acquisition, usage and donation of a 97.7 sq.m. apartment on Mircea cel Bătrân street, Chişinău (hereinafter the "apartment No.2")

75. On 20 March 2006, the subject's mother signed the investment contract for the construction of apartment No. 2. At this time, the subject was 27 years old. As with the previous apartment, she was married with one child. She was a legal and human resources specialist at Chişinău City Council. The contractual purchase price of the 97.7 sq.m. apartment was 211,018 MDL (equivalent of 11,361 EUR according to the contract) and was to be paid by 14 November 2014. According to the cadaster data, the subject's parents registered ownership over this apartment on 3 November 2014 based on the deed of transfer.
76. In the first round of questions (Question 53 lett. a)), the subject explained that she lived in apartment No. 1 from April 2012 until the end of 2015, together with her family and her younger sister's family. Since 2016, only her family has lived there. Her parents also lived there periodically and took care of their grandson. She and her family currently live in this apartment.
77. In the 2016-2020 NIA declarations, the subject declared being in possession of this apartment, which was obtained in 2012. The 2021-2022 declarations include the right of habitation in this apartment. Since 2023, the subject declares ownership rights based on the contract of alienation with the condition of parents' lifetime maintenance dated 29 June 2023.
78. Although the subject states on her own responsibility that she did not contribute financially to the purchase of apartment No. 2 (Round 1 Question 53 lett.b)), she acknowledges that she incurred strictly necessary living expenses for this apartment in 2013, namely blinds – 12,000 MDL, curtains – 6,000 MDL, parquet flooring painting – 4,000 MDL, chandeliers – 40,000 MDL, tableware – 5,000 MDL, furniture -10,000 MDL, wardrobe - 14,500 MDL, kitchen tabletop – 27,000 MDL (Round 1 Question 2 lett.b), Question 3 lett.b)).
79. According to the subject, a 70,000 MDL loan she contracted in November 2016 was also intended to purchase furniture for apartment No. 2.
80. When asked about the 470,000 MDL bank loan, contracted in November 2014 by her husband, the subject stated that a part of the sum, namely 14,000 EUR, was given to her mother to repay a debt to C.G. According to the subject, her mother used this money to finish renovating and furnishing apartment no. 2 (Round 1 Question 13 lett.d)).

Acquisition, usage and sale of another 73.5 sq.m. apartment on Mircea cel Bătrân street, Chişinău (hereinafter the "apartment No.3")

81. On 12 April 2007, the subject's mother signed the investment contract for the construction of apartment No.3. At this time, the subject was 28 years old and had the same family situation and work as at the time of acquisition of the previous apartment. The contractual purchase price was 253,914 MDL (equivalent to 17,000 EUR under the contract) and was to be paid upon signing. According to the cadaster data, the subject's parents registered ownership over this apartment on 17 May 2017 based on the deed of transfer.
82. Through the power of attorney, the subject's parents authorized A.P., their son-in-law (and the subject's brother-in-law), to sell this apartment to a third party on 5 June 2017. The contractual sale price was 358,429 MDL (equivalent of 17,500 EUR), despite the declared real price as indicated in § 87 below.
83. In the first round of questions (Question 55 lett.f)), the subject stated that in apartment No.3, the parents carried out the interior finishing works later than in apartments No.1 and No.2, based on their financial possibilities at that time.
84. When asked to identify the people who lived in apartment No. 3, the subject stated that her sister's family lived there. In 2017, for a period of approximately four to five months, the subject's youngest sister's family also lived in this apartment (Round 4 Question 1 lett. a)).

Acquisition of a non-residential space with an area of 256 sq.m., located on Hristo Botev street, Chişinău

85. On 5 May 2017, the subject's mother signed the investment contract for the construction of a 256 sq.m. non-residential space on Hristo Botev street, Chişinău. At this time, the subject was 38 years old, married, and had three children. She was a judge for two years already. According to the contract, the subject's mother became the beneficiary of 2/3 shares of the non-residential space, and the subject's uncle, O.M., became the beneficiary of 1/3 of the same property. The total contractual purchase price was 2,956,282 MDL (equivalent to 141,986 EUR), to be paid in two equal installments (one at the time of notification to the cadastral authority and one at the time of transfer of ownership). According to the cadaster data, the subject's parents registered ownership over 2/3 of this property on 2 February 2018 based on the deed of transfer.
86. When asked in the second round of questions (Questions 17, 19) about the sources of funds of her parents for the acquisition of the 256 sq.m. non-residential space on Hristo Botev street, the subject explained that in 2017

her parents sold proprieties in Drochia (parents' house, grandparents' house, business), apartment No. 1 and apartment No. 3.

87. The income received in 2017-2018 by her parents from these transactions would have been: 17,600 MDL - for the grandparents' house, around 122,000 MDL (11,000 MDL+50,000 MDL+3,000 EUR) - for the parents' house, 10,000 EUR - for the business, , 955,669 MDL (45,000 EUR at that time) - for apartment No. 1, and 1,228,902 MDL (60,000 EUR at that time) - for apartment No. 3. The subject submitted the sale contract of the grandparents' house dated 12 October 2017, receipts signed by V.C. dated 3 December 2017 and 17 March 2018, receipt signed by G.Ț. dated 1 July 2025 regarding the payments for the parents' house and business.
88. The subject also explained that she and her mother had realized only during the rounds of questions that the real price received for apartment No. 1 and apartment No. 3 did not correspond with the contractual price and suggested that her mother declare the 2017 and 2018 income to SFS for tax purposes (Question 19 lett. a)).
89. To confirm the real sale price of the two apartments, the subject submitted: (i) a letter dated 2 July 2025 containing real price estimates for this category of immovable property from a company operating in this sector, (ii) written declarations dated 2 July 2025 signed by the seller A.P. – the subject's brother-in-law, who was acting based on a power of attorney, (iii) written declaration dated 18 august 2025 signed by the buyer of apartment No.1, (iv) SFS declarations by the subject's mother for income in 2017 and 2018, and proof of 160,393 MDL tax income on capital gain paid in July 2025.

Entrepreneurial activity of the subject's parents

90. In the first round of questions (Question 4), the subject explained that the funds declared in 2012 by her mother under fiscal amnesty, amounting to 975.000 MDL, is an accumulation over the years from the business activity of her parents, namely operation of greenhouses that they had near the house in the village of Drochia (between 1989 and 2000) and retail trade at local markets (between 1991 and 2017).
91. In the same round of questions, the subject provided several details regarding her parents' business activity and indicated their main operating markets. She explained that in 1999 her parents registered the individual enterprise "M.O.", and afterward they opened two shops - one in their native village, Drochia, and one in the village Mîndîc. The subject submitted her mother's entrepreneur patent (*patenta de întreprinzător*) valid for 2000 and

2001, her father's entrepreneur patent valid for 2002, tree months in 2003, six months in 2005, six months in 2006, for 2007, six months in 2009, as well as the individual enterprise license (*licența*) for tobacco retail trade (valid from March 2008 until March 2009). The individual enterprise "M.O." has not been active since 2017, when the subject's parents sold the business and their house in Drochia in connection with their decision to move to Chișinău to live with their children and grandchildren.

92. The Commission asked the subject to indicate her parents' income from the business and to present supporting documents. The subject stated that, according to her parents' recollection, the approximate annual income from the business ranged from 40,000 MDL to 80,000 MDL in the period 2012-2017, depending on sales volume and price fluctuations (Round 2 Question 19).
93. The subject pointed out that, due to the situation in the Republic of Moldova at the time her parents owned the business and the location of the shops in rural areas, all payments from consumers were made in cash, as most people preferred to keep their money in cash rather than in bank accounts (Round 3 Question 3).
94. The subject further explained, following her parents' clarifications, that the funds declared under fiscal amnesty were used for the needs of their family, including the purchase of goods for commercialization, partial payment of the price of the real estate purchased in Chișinău, including the three apartments, and carrying out repair works, as well as partial furnishing, and organizing the wedding of the youngest daughter (in 2014).
95. Regarding her parents' sources of income, the subject added that they had sold an apartment on Milescu Spataru street in Chișinău in 2005. She noted that her mother is unable to provide documentary evidence of this transaction, as more than 20 years have passed since the sale. In a written declaration dated 3 October 2025, her mother indicated the sale price of 25,000 EUR. According to her mother, part of the proceeds was used to pay installments for three apartments on Mircea cel Bătrân street.

Commission's assessment

96. As in previous cases where the availability of funds derived from prior activity and declared under the fiscal amnesty could not be proven (see *Buruiana*, § 102, Report of 7 March 2024; *Ursachi*, Report of 5 November 2024, § 179), the Commission sees no reason, in the present case, to depart from its practice, in the absence of evidence confirming the availability of such funds.

97. At the same time, the Commission admits that the entrepreneurial activity based on a patent, as well as the related license for tobacco sales, should have allowed parents to earn a certain income to cover certain expenses.
98. Although there is no clear documentary evidence for the purchase of the three apartments in 2005-2007, because these investment contracts fall outside the evaluation period, they were not included in the subject's wealth calculations, save for the expenses associated with apartment No.2, where the payment schedule extended into the evaluation period.
99. The subject stated that the interior finishing work by her mother for apartment No.1 started in 2010, and later the subject, together with her two children moved to live in this apartment until 2012. The subject's sister along with her husband and their two children, and the subject's other younger sister also moved in at that time. After that, she only occasionally lived in apartment No. 1 alongside the families of her two sisters.
100. The subject also stated that the families of her sisters resided in apartment No. 3 was temporarily between 2012 and 2017.
101. No other connection between the subject and apartment No.1 and No.3 was established, such as bank transfers, major withdrawal preceding the payments, or other indication of covering finishing or repair works or furniture expenses on the subject's side. Thus, the Commission could not identify any beneficiary relationship or the subject's contribution to these apartments.
102. Concerning the apartment No.2, the subject started living in this apartment in 2012 and contributed financially to the finishing works in 2013 and 2016 (see §§ 78, 79 above), in 2014 - by donating 295,249 MDL (equivalent of 14,000 EUR) to the subject's mother (see § 80 above). The subject declared to the Commission that she had habitation rights in this apartment (see § 50 above). In 2023, the subject and her parents signed a contract transferring ownership of the subject to her parents, on the condition of her parents' lifetime care. These circumstances show that the subject benefited from this apartment during the entire evaluation period of 2013-2024.
103. In addition, the Commission analyzed the financial capacity of the subject's parents for the period relevant to the apartment installment payments (2013-2014) and found that they most likely did not have proven sufficient financial resources to cover them. As is detailed later in § 114 below in relation to their income between 2013 and 2014, the subject's parents received a modest tax traceable income – both from pension payments and the father from salary.

104. Even with the subject's beneficial ownership and the inclusion of the apartment No.2 payments of 211,018 MDL (§ 75 above) and finishing and repairs costs (§§ 78-80 above) to the subject's income-expense calculation in 2014, this would not lead to a negative balance for the subject's household in 2014.
105. In addition, the Commission investigated the subject's relationship with 256 sq.m. non-residential space. As noted above, the subject's parents did not have sufficient documented income to cover the acquisition of apartments No. 1 and No. 3, which were in turn used to source money for the acquisition of the non-residential space. These earlier acquisitions were, however, outside of the evaluation period and were not included in the subject's wealth calculations. There is also no clear documentary evidence regarding the sale price of the subject's parents' properties in Drochia (except a notarized contract dated 12 October 2012), which was also used to cover the residential space purchase price.
106. Despite these circumstances, the subject's parents confirmed, as described in § 89 above, the payment of income tax for capital gain from the sale of apartments No. 1 and No.3 and the Commission could not establish any beneficiary relationship between the subject's mother's income from the rental of this non-residential space and the subject. Neither bank transfers between the subject and her mother indicate such a relationship, nor do the subject have any negative expenditures over the 2013-2024 period (apart from the year 2015 which precede the acquisition of this property in 2017).

2. Declared donations received by the subject and her elder son

107. During its investigation, the Commission analyzed several donations declared by the subject to the Commission and in her NIA declarations received by close family members throughout the investigation period (2013-2024).
108. In the relevant years, the Commission investigated the source of funds for the donations offered to the subject; however, in the year when the elimination of donations would cause a negative income-expense balance, special attention was dedicated. The donations declared by the subject for each relevant year are in the table below.

Year	Person giving the donation	Person receiving the donation	Amount (MDL)
2014	subject's father-in-law	subject's husband	260,000

2016	subject's mother	subject	30,000
	subject's father-in-law	subject's husband	150,000
2017	subject's father-in-law	subject's husband	160,000
2018	subject's father-in-law	subject's husband	120,000
2019	subject's father-in-law	subject's husband	120,000
2020	subject's father-in-law	subject's husband	120,000
2021	subject's mother	subject's eldest son	120,000
2022	subject's mother	subject's eldest son	90,000
2023	subject's mother	subject's eldest son	70,500
	subject's father-in-law	subject's eldest son	8,000
2024	subject's mother	subject's eldest son	15,500

109. As observed between 2014 and 2020, the subject's family received substantial financial donations from the subject's father-in-law. The exclusion of these donations from the subject's inflows would result in a financial deficit for the subject's household. The Commission examined whether the father-in-law's family had the financial capacity to make such contributions.
110. According to the information in the Commission's possession, between 2013 and 2024 the subject's father-in-law household received income from salaries, dividends as the sole shareholder of a company, the sale of two vehicles, and pension benefits, totaling 5,873,727 MDL.
111. The Commission did not identify major acquisitions by the father-in-law's family, apart from the purchase of the vehicle DAEWOO KLAK (m/y 2005) in 2012 (sold in 2014), a Chevrolet Spark (m/y 2010) in 2014 (sold in 2017), and a Hyundai I 20 (y/m 2011) in 2017. Considering these expenses, together with the CEP of the subject's father-in-law household, along with the financial means of the family, the Commission concluded that the subject's father-in-law had sufficient financial capacity to provide the donations.
112. The donations from the subject's mother, unlike those made by the subject's father-in-law, if excluded did not result in a negative financial balance for the subject. The Commission established that, only in 2021, the primary factor contributing to the subject's positive income-expense balance is a donation of 120.000 MDL made by the subject's mother to the subject.

113. Although the existence of money declared under fiscal amnesty was not demonstrated, nor was the income from the parents' business activity, the analysis of the subject's parents' income and expenditure for 2021 indicated a positive balance. For 2013-2024, the subject's parents received a slight income from salary and pension. In 2017, their household registered income from the sale of apartments No. 1 and No. 3. Since 2018, the subject's mother has been renting out her share of the non-residential space mentioned at § 85 above. The SFS information and the official documents from the company paying the rent indicate annual payments to the subject's mother of 272,787 MDL in 2019, 255,168 MDL in 2020, 285,662 MDL in 2021, 269,256 MDL in 2022, 279,612 MDL în 2023 and 279,092 MDL in 2024 (without income tax).
114. Considering those documents, the 2021 donation declared by the subject was sourced from a plausible source. For this reason, the Commission accepted the 120,000 MDL donation offered by the subject's mother, eliminating the preliminary negative income-expense balance of the subject's household of 66,546 MDL in 2021.
115. The information available to the Commission indicates that the subject's mother also provided support to her youngest daughter (subject's sister) to organize the wedding in 2014 (Round 1 Question 4 lett. b).

3. Inexplicable wealth in 2015

116. For 2015, the Commission identified that the subject's total outgoing financial flow was 351,592 MDL and its total incoming financial flow was 240,619 MDL, resulting in a negative balance of 110,973 MDL. The subject's household recorded expenses for (i) bank loan repayments, (ii) installment payments for apartment on Ceucari street, (iii) education expenses, (iv) travel expenses, (v) end-of-year savings, (vi) the Consumption Expenditure of Population (hereinafter the "CEP").¹

¹ The CEP for any year between 2006-2018 is calculated based on National Bureau of Statistics (NBS) methodology, available on the NBS website here: [Consumption expenditures average monthly per capita by Years, Expenditure group, Area, Children in household and Unit. PxWeb \(statistica.md\)](#). 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.

117. In response to the third round of questions (Question 13), the subject stated that the travel expense for the trip to Prague (4,500 MDL + 320 EUR + 250 EUR=16,413 MDL) should be cut in half because half of the trip was operated in late December 2015, while the other part was in early January next year. The Commission accepted the subject's calculation, given that it does not affect the positive balance for 2016.
118. The subject's claim that bank loan repayments should be adjusted to account for overlap with bank payments is ill-founded, as no retail expenses were included in the 2015 outgoing financial flow.
119. The subject also claimed that CEP must be adjusted because, for most of their living expenses (food and household products, clothes and footwear, school supplies), the subject's family received assistance from their parents, while family cash was used to repay loans. The subject indicated no estimates for groceries or shares of CEP categories.
120. As a rule, to ensure equal treatment across the evaluated subjects, the Commission did not exclude specific categories or items from a CEP category on the assumption that other CEP categories may have been higher than the amounts actually incurred by different subjects. This assumption is supported when circumstances reflect that: (1) the subject's income in the particular year is higher than the national average income so that his household has more income available than the average household²; (2) this

The CEP for any year between 2019-2024 is calculated based on NBS methodology, available on the NBS website here: [Consumption expenditures average monthly per capita by Years, Expenditure group, Area, Children in household and Unit. PxWeb \(statistica.md\)](#). 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, 2019-2024.

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.

² The national average income for any year between 2006-2018 is calculated based on NBS methodology, available on the NBS website here: [Disposable income average monthly per capita by Years, Sources of income group, Area, Children in household and Unit. PxWeb \(statistica.md\)](#). 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 income – Discontinued series - Household income (2006-2018, based on resident population) – Disposable incomes of population by sources of income, number of children in household and area, 2006-2018.

On the above link, the following variables were selected: Year – Disposable income total – Area (Urban/Rural) – Number of children (if no children, without children is chosen) – Lei, average monthly

income was actually withdrawn in cash or otherwise reflected on bank accounts, from which the Commission established the theoretical possibility that the subject's household actually spent more than what the NBS deems the CEP value to be; and (3) a sufficient amount of this available cash was actually available for daily expenses instead of it being largely used for other purposes.

121. The Commission also highlights that the CEP reflects the average expenses for those surveyed. Moreover, in its previous reports, the Commission demonstrated that the value of expenditures estimated under the CEP methodology is very close to the subsistence minimum, meaning that the method is close to the margin that accounts for basic living conditions (*Iacob*, Report of 2 April 2024, §§ 78, 79). 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.
122. In 2015, the subject's household income was 183,619 MDL, while the national average income per NBS was 95,841 MDL.³ The subject made cash withdrawals from ATMs or bank counters (91,583 MDL), which formed funds available for her household's expenditure over the course of the year. Combined with retail expenses (20,971 MDL), it appears that the subject's household incurred enough expenses to exceed the CEP level of consumption (105,936 MDL).⁴
123. From the foregoing, the subject's household had more income than the national average; the funds available to the subject were higher than the national average income; this cash did not carry over as cash savings into the succeeding years; and these amounts were larger than the CEP.

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 national average income for any year between 2019-2024 is calculated based on NBS methodology, available on the NBS website here: [Disposable income average monthly per capita by Years, Sources of income group, Area, Children in household and Unit. PxWeb \(statistica.md\)](#). 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 income - Disposable incomes of population by sources of income, number of children in household and area, 2019-2024.

On the above link, the following variables were selected: Year – Disposable income 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.

³ (National average income 2015) 95,841 MDL = 1,996.7 MDL * 4 people (subject, subject's husband and two children) * 12 month

⁴ (CEP 2015) 105,936 MDL = 2,207 MDL * 4 people (subject, subject's husband and two children) * 12 month

124. In 2015, in addition to the CEP (which included 12 variables as identified by the NBS)⁵, the subject's outgoing financial flows also included education and travel expenses (see § 117 above). The Commission considered the CEP variables, which incorporate the travel and educational expenses.
125. To avoid double-counting of individual identified cash expenses with the variables reflected in the CEP (in this case, vacation and child studies), the Commission considered in its calculations only the calculated surplus exceeding the CEP variable as detailed below (see *Ursachi*, Report of 5 November 2024).⁶ This report was also accepted by the Superior Council of Magistracy, and on 26 May 2025, the Supreme Court of Justice upheld the Council's findings.
126. In 2015, the education CEP variable for the subject's household was 1,051 MDL (21.9 MDL per month × 12 months × 4 members = 1,051 MDL). In the same year, the Commission included 36,087 MDL as the tuition fee for a private lyceum and other related study expenses (i.e. food at the lyceum). The Commission therefore retained in the financial outflows only the amount exceeding the CEP variable, namely: 36,087 MDL – 1,051 MDL = 35,036 MDL.
127. In the same year, the leisure CEP variable for the subject's household was 3,796 MDL (79.1 per month × 12 months × 4 members = 3,796 MDL). In this year, the Commission included 11,341 MDL in the subject's financial outflows as travel expenses. The Commission therefore retained only the amount exceeding the CEP variable, namely: 11,341 MDL – 3,796 MDL = 7,545 MDL.
128. The Commission concludes that the subject's household registered an inexplicable wealth of 110,973 MDL in 2015, as indicated in § 117 above. Even if the negative financial flow for this year was treated as unjustified wealth, it would not exceed the threshold of 234,000 MDL under Article 11 para. (3) lett. a) of Law No. 252/2023.

⁵ In 2015, the CEP was composed of 12 categories/variables: food products; alcoholic beverages and tobacco; clothing and footwear; housing maintenance; household equipment; medical care and health; transport; communication; leisure; education; hotels, restaurants, cafés, etc.; and other expenses.

⁶ See paragraph 209 lett. (c) of the Report, which describes a similar approach used to eliminate double counting when accounting for retail bank expenses. In the present case, however, instead of referring to retail expenditure and applying the surplus of expenses exceeding the individually identified annual CEP variable, an equivalent calculation will be applied to individual cash expenditures.

VI. Conclusion

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

VII. Further action and publication

130. As provided in Article 40 point (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.

131. 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.

132. 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.

133. This evaluation report was approved by a unanimous vote of the Panel members on 6 November 2025 and signed pursuant to Articles 33 point (2) and 40 point (5) of the Rules.

134. Done in English and Romanian.

Andrei Bivol

Vice-chairperson of the Commission

Chair of Panel A