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EVALUATION REPORT

approved according to Article 40

of the Rules of Organization and Functioning

VIORELIA GRIGORAȘ

judge of the Chișinău Court, previously appointed as a member of the specialized panels for corruption and corruption-related cases

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

22 September 2026

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Evaluation Panel F 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 18 September 2026 and approved the following report on 22 September 2026. The members participating in the approval of the report were:

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

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 the Chisinau Court Judge, Mrs. Viorelia Grigoraș (hereinafter the "subject").

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. Since 2009, the subject has served as a judge. She was initially appointed as a judge of the Orhei District Court. In 2015, she was transferred to the Botanica District Court, Chișinău municipality. From 2017 to 2018, she served as a judge at the Chișinău Court, Central Office. Since 2019, she has served as a judge at the Chișinău Court, Buiucani Office.

5. Prior to her appointment as a judge, the subject held various positions within the judiciary. Between 1997 and 2002, she worked as an interpreter and court clerk at the Botanica District Court, Chișinău municipality and as a court clerk at the Chișinău Tribunal. From 2004 until her appointment as a judge in 2009, she served as a judicial assistant at the Supreme Court of Justice.

6. The subject obtained a bachelor's degree in law in 2003 and a master's degree in law in 2005 from 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 average salary per economy for 2023 was 11,700 MDL. Thus, the threshold of 20 average salaries is 234,000 MDL, and the threshold of five average salaries is 58,500 MDL.

11. Article 11 para. (4) of Law No. 252/2023 allows the Commission to verify various things in evaluating the subject's financial integrity, including payment of taxes, compliance with the legal regime for declaring assets and personal interests, and the origins of the subject's wealth.

12. In evaluating the subject's financial integrity, Article 11 para. (5) of Law No. 252/2023 directs the Commission also to consider the wealth, expenses, and income of close persons, as defined in Law No. 133/2016 on the declaration of wealth and personal interests, as well as of persons referred to in Article 33 paras. (4) and (5) of Law No. 132/2016 on the National Integrity Authority.

13. In assessing a subject's compliance with the ethical and financial integrity criteria, the Commission applies the rules and legal regime that were in effect when the relevant acts occurred.

14. According to Article 11 para. (2) of Law No. 252/2023 a subject shall be deemed not to meet the ethical integrity criterion if the Commission has determined the existence of the situations provided for by that paragraph. Under Article 11 para. (3) of Law No. 252/2023, the Commission determines that a subject does not meet the financial integrity criterion if it establishes serious doubts determined by the facts considered breaches of the evaluation criteria. The Commission cannot apply the term "serious doubts" without considering the accompanying phrase "determined by the fact that". This phrase suggests that the Commission must identify as a "fact" that the specified conduct has occurred.

15. Regarding the standard of "serious doubts" in the context of the vetting exercise, the Constitutional Court noted concerning its previous decisions that the definition of standards of proof inevitably involves using flexible texts. The Court also 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).

16. Once the Commission establishes substantiated doubts regarding particular facts that could lead to failure of evaluation, the subject will be given the opportunity to oppose those findings and to submit arguments in defense, as provided by Article 16 para. (1) of Law No. 252/2023. After weighing all the evidence and information gathered during the proceedings, the Commission makes its determination.

IV. Evaluation Procedure

17. On 4 February 2026, under Article 12 para. (1) of Law No. 252/2023, the Commission received the list of judges of the Chișinău Court who, since 1 January 2017, have been and/or are members of specialized panels in corruption and corruption-related cases, for the purpose of their evaluation. The list included the subject.

18. On 5 February 2026, 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 20 days from the date of notification (hereinafter, these declarations are referred to as the "five-year declaration"). The subject returned the completed five-year declaration and questionnaire on 24 February 2026.

19. On 17 March 2026, the Commission notified the subject that her evaluation file had been randomly assigned to Panel F with members Marcel van de Wetering, Lilian Enciu and Iurie Gațcan. The subject was also informed of her right to request, in writing and at the earliest possible time, the recusal of any panel member.

20. Because the law sets different evaluation periods for the ethical and financial integrity criteria cited above, the Commission evaluated compliance with these criteria over the past five, ten and 12 years. Due to the end-of-the-year availability of the tax declarations and declarations on wealth and personal interests, the financial criteria evaluation period included 2014-2025 and 2016-2025. The evaluation period for the ethical criterion includes the past five or ten years calculated backward from the date of the notification.

21. In the last 12 years of the evaluation period, the subject had the 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.

22. The Commission sought and obtained information from numerous sources. No source informed the Commission of later developments or any corrections regarding the information provided.

23. 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 (Energbank JSC, 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), Office for Prevention and Fight Against Money

Laundering, and the Public Service Agency (hereinafter "PSA"). Information was also obtained from other public institutions and private entities, open sources such as social media and investigative journalism reports. No complaints or information was received from civil society. All information received was carefully screened for accuracy and relevance.

24. On 15 July 2026, the Commission asked the subject to provide additional information by 27 July 2026 to clarify certain matters (hereinafter the "first round of questions"). On 27 July 2026, the subject requested an extension to respond, which the Commission granted. The subject provided answers and documents within the extended deadline.

25. On 14 August 2026, the Commission asked the subject to provide additional information by 23 August 2026 to clarify certain matters (hereinafter the "second round of questions"). The subject provided answers and documents within the deadline.

26. On 8 September 2026, the Commission notified the subject based on the information collected and reviewed, it had not identified in its evaluation any doubts about her compliance with the financial criterion and had not established a 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 information previously provided, the Commission would, absent any new information or developments, approve a report on passing the evaluation.

27. As provided in Article 39 para. (4) of the Rules, the subject sought and was provided access to all the materials in her evaluation file on 10 September 2026.

28. On 18 September 2026, the Commission held a public hearing. At the hearing, the subject reaffirmed the accuracy of her answers in the five-year declaration. 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

29. This section discusses the relevant facts and reasons for the Commission's conclusion.

30. 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. involvement in a case examined by the European Court on Human Rights (hereinafter "ECtHR");

b. potential difference between the assets, expenses, and income (hereinafter "unjustified or inexplicable wealth");

A. Involvement in a case examined by ECtHR

31. According to information provided by the Government Agent, the subject was involved in the ECtHR-case *Baraboi and Gabura v. the Republic of Moldova*, Judgement of 27 April 2021. The case concerned the applicants' remand in prison and subsequent house arrest in criminal proceedings for pimping in connection with erotic video-chat activities.

32. The subject issued two rulings extending the applicants' house arrest. On 14 November 2017, she also delivered the first-instance sentence, finding the applicants guilty of pimping and imposing suspended prison sentences.

33. The ECtHR found a violation of Article 5 § 1 of the Convention. Referring to its earlier case *Litschauer v. the Republic of Moldova*, Judgment of 13 November 2018, the ECtHR noted that there was an ongoing debate at the national level as to whether erotic video-chat performances constituted prostitution. It reiterated that the relevant legal rules did not provide sufficient guidance and were not formulated with the degree of precision required by the Convention. The applicants therefore could not reasonably have been expected to foresee, even with appropriate legal advice, the consequences of their conduct (*Baraboi and Gabura*, cited above, §§ 26-30).

34. In Decision No. 36 of 19 April 2018, the Constitutional Court noted that the national case-law concerning the concept of prostitution was inconsistent. Some courts had treated online sexual services as dissemination of pornographic materials, while other courts, including the Supreme Court of Justice and the Chișinău Court of Appeal, had treated such activities as prostitution for the purposes of Article 220 of the Criminal Code (§ 32 of the Decision). The Constitutional Court further concluded that online sexual services did not fall within the concept of prostitution because they did not involve physical sexual contact (§§ 36-43 of the Decision).

35. However, the Constitutional Court clarifications post-dated the subject's relevant decisions. The subject issued the rulings extending house arrest and the first-instance sentence in 2017, when conflicting interpretations of the applicable criminal law existed in domestic judicial practice.

36. The Commission previously examined the same issue in the case of *Robu* (Report of 25 March 2025). In § 71 of that report, the Commission noted that, at the time the relevant decision was issued, there was no consensus at the national level as to whether sexual video-chat activities constituted prostitution or the dissemination of pornographic materials. It therefore could not conclude that the judge's decision was contrary to a mandatory legal norm or arbitrary.

37. There are no grounds to reach a different conclusion in the present case. Therefore, considering the lack of clarity and foreseeability of the legal framework, as well as the inconsistent domestic judicial practice at the time the subject issued the relevant decisions, the Commission did not identify any indications that the subject issued arbitrary decisions contrary to mandatory rules of law, within the meaning of Article 11 para. (2) lit. a) of Law No. 252/2023.

B. Potential inexplicable wealth

38. The Commission identified no negative balance between the subject's household income and expenses in any year under review. In doing its analysis, the Commission also considered the circumstances surrounding the acquisition of a house in Trușeni, Chișinău municipality, in 2019; and the related renovation expenses.

B. 1. Acquisition of the house in Trușeni

39. On 22 October 2019, before the subject and her current husband married on 24 September 2020, the latter acquired a property in Trușeni, Chișinău municipality. The property consisted of a 0.28 ha plot of land, two houses with surface areas of 135 sq. m. and 126 sq. m., respectively, and a 26 sq. m. garage. The 135 sq. m. house was subsequently demolished in 2024. The other house was renovated and later became the subject's household residence.

40. The Commission examined whether, notwithstanding that the property had been acquired by the subject's current husband before their marriage and registered exclusively in his name, there were grounds to consider that the subject had contributed financially to its acquisition and, consequently, whether any part of the acquisition price should be attributed to her for the purposes of the financial assessment.

1.1 Circumstances of the acquisition

41. In the first and second rounds of questions, the subject stated that she was not involved in the acquisition of the property, was not present when the transaction was concluded and did not contribute financially to the purchase. According to her, the purchase price was paid in cash by her current husband from his own funds.

42. The husband's taxable income reported to the SFS for 2014–2019 was substantially below the contractual price of EUR 40,000. The Commission therefore asked the subject to provide a breakdown of the sources from which her husband had financed the acquisition.

43. In the second round of questions, the subject explained that her husband had accumulated savings over a period extending beyond the five years preceding the acquisition. The savings included his employment income, 90,000 MDL received from his father under a notarized donation contract concluded in 2017 and funds originating from a 60,000 EUR loan granted to him by his father under a simple written form contract concluded in 2010.

44. The Commission also obtained information from the notary who authenticated the 2019 sale-purchase agreement. It confirmed that, in connection with the transaction, the husband had presented both the 2017 donation contract and the 2010 loan contract as documents supporting the source of the funds used for the acquisition.

1.2 Potential common household before marriage

45. The Commission identified certain circumstances indicating that the subject and her current husband had a personal relationship before their marriage. In particular, the subject had declared in her NIA declarations for 2017–2019 free of charge use rights of an apartment on Ion Pelivan Street, which belonged to her current husband,. A significant number of the subject's retail purchases during 2015–2020 were made in the vicinity of that address.

46. The subject explained that she met her current husband in 2016, when she was put in contact with him for purposes of registering her residence in Chișinău, at his apartment on Ion Pelivan Street. According to the subject, she was unable to register her residence at her sister's apartment, where she was actually living, because her sister, the owner of the apartment, was abroad at the time. She and her current husband subsequently developed a personal relationship, spent time together and occasionally travelled together. She maintained, however, that they did not live together, share a household or depend financially on one another before 2020. According to

the subject, they began living together in February or March 2020 and formed a common household when they married in September that year.

47. The subject explained that she had included Ion Pelivan Street in her NIA declarations because her residence was registered there. She stated that this did not reflect an actual right of possession or use of the apartment.

48. The subject further stated that, between 2014 and 2020, she lived in her sister's apartment on Alba Iulia Street together with her sister's granddaughter, whom she supervised while the child's parents and grandmother were working abroad. According to the subject, she did not bear the child's living expenses, which were covered by the child's parents and grandmother. The subject submitted statements from family members in support of her statement that she lived in the apartment during this period.

49. The subject also provided an explanation for the location of her retail purchases (§ 45 above). She stated that the Ion Pelivan Street area was on her route between work and the apartment on Alba Iulia Street and it offered better access to shops, pharmacies and other services. That region was near the school of her sister's granddaughter. The subject went there to be advised on the schooling issues of the child. Both locations were in the Buiucani district. She therefore disputed that the location of those purchases demonstrated that she was living with her current husband in the apartment on Ion Pelivan Street.

1.3 Commission's assessment

50. The circumstances identified by the Commission, including the subject's registered residence at the Ion Pelivan Street apartment and the location of some of her retail purchases, raised questions as to the nature of their relationship before the marriage. However, while the information available to the Commission suggests that the subject and her current husband may have shared certain aspects of their personal life before 2020, it does not sufficiently establish that they pooled their income or savings, jointly met their expenses, were financially interdependent or otherwise managed their finances as a common household.

51. This conclusion is also relevant to the acquisition of the Trușeni property. The Commission considered the legal and practical consequences that a financial contribution by the subject would have entailed. The property was purchased before the marriage and registered exclusively in her current husband's name. It remained his exclusive property after the marriage.

52. Accordingly, had the subject contributed her own funds to the purchase, she would have done so without obtaining any corresponding ownership right or other apparent guarantee securing that contribution. The Commission did not identify any agreement, arrangement or other circumstances that would have protected the subject's financial interest in the property. In these circumstances, the mere existence of a personal relationship between the subject and her current husband at the time of the acquisition is insufficient to support the conclusion that she contributed to the purchase.

53. The property was acquired on 22 October 2019, approximately one year before the marriage and, according to the subject's account, four to five months before they began living together in February or March 2020. Thus, the timing of the acquisition does not, in itself, suggest that it was connected to the commencement of their common household or to their subsequent marriage.

54. In relation to the source of funds used for the acquisition, given the time elapsed, the 2010 loan contract alone does not establish that those funds remained available in full in 2019. This uncertainty, however, does not establish that the subject contributed to the acquisition. Moreover, the husband had presented the loan and donation contracts to the notary in connection with the transaction, rather than producing them for the first time during the Commission's evaluation.

55. The Commission also considered whether the contractual price of EUR 40,000 reasonably reflected the value of the property at the time of its acquisition. According to publicly available information reviewed by the Commission, building land in Trușeni was offered for sale in 2019 at approximately EUR 2,000 per are. Applied to the property's total land area of 0.28470 ha (28.47 ares), this benchmark would correspond to approximately EUR 57,000 for the land alone. However, cadaster data indicate that the house and its immediate yard occupied approximately one third of the plot, while the remaining land extended behind the residential part of the property and was used as garden land. The rear part had no separate road access and, therefore, appears to have had limited potential for separate development. According to the subject, one of the houses required renovation, the related expenses being addressed in the following section. The other house was in a condition requiring its demolition. The subject provided documents confirming its subsequent demolition, as well as information concerning the related expenses.

56. Although the contractual price of EUR 40,000 appears lower than what a simple comparison based on the total land area might suggest, the difference may be explained by the configuration of the land and the condition of the buildings. In any event, as noted above, the Commission did not identify sufficient indications that the subject contributed her own funds to the purchase.

57. As is detailed below, the analysis also investigated whether the subject made, after her marriage, significant common investments in the property so as it would be ultimately deemed to belong to the subject as well, following the regime of the common ownership (Article 573 para. (3), Civil Code).

B.2. Expenses related to the renovation of the property

58. As of 2020the subject and her current husband married and formed a common household. Accordingly, the expenses for the renovation and improvement of the property in Trușeni, including the subsequent demolition of the second house, were attributed to the household.

59. In the second round, when asked to provide a detailed account of the works and expenses carried during 2020–2025, the subject stated that no detailed records of these expenses had been kept and that, due to the passage of time, supporting documents were no longer available for most of the works. She nevertheless provided the following estimates based on her and her husband's recollection.

Year	Works / item	Cost (MDL)
2020	Roof renovation (asbestos-cement roofing sheets were replaced with metal roofing)	80,000–90,000
2021	Bathroom & sanitary fixtures (20,000–25,000); interior doors (20,000); painting (25,000–30,000); ceramic tiles (20,000–22,000); wardrobe & sofa (15,000); minor unestiamted works	100,000-112,000
2022	Bed & household appliances	31,500
2023	Facade materials	60,000–70,000
2024	Demolition of second house	11,000–12,000
2025	Two air-conditioning units (receipts provided)	23,000 MDL
	Total expenses	305,500-338,500

60. The subject further explained that the windows and exterior doors had already existed when the property was purchased and were not replaced.

The electrical installation and the fence were likewise not replaced. She also clarified that no paving works were carried out during 2020–2025. The paving materials visible in the photographs related to works commenced in 2026, as corroborated by satellite imagery.

61. Given that the roof renovation represented one of the more significant expenses, the Commission sought additional information from professionals operating in the field of metal roofing concerning the approximate prices applicable in 2020. The information received indicated prices of approximately MDL 100–150 per sq. m. for metal roofing, up to MDL 8,000 for the rainwater drainage system, and approximately MDL 250–300 per sq. m. for labor.

62. The house has a ground-floor footprint of approximately 126.8 sq. m. Considering the configuration and estimated slope of the roof, as well as the roof overhangs and the covered entrance area, the Commission considered approximately 150 sq. m. to be a reasonable basis for an approximate calculation. Applying the information obtained from the professional, the overall cost of the roof works could be estimated at approximately MDL 88,000, including roofing and installation and the rainwater drainage system. This estimate is broadly consistent with the MDL 80,000–90,000 amount indicated by the subject.

63. As regards the demolition carried out in 2024, the subject explained that the works were performed by her husband with the assistance of relatives and friends. A substantial part of the materials from the demolished house, including timber, stone, doors and windows, were retained for possible reuse, while the earth, clay and straw forming part of the old structure were used to level the land. Only unusable waste was transported away. The subject submitted statements concerning the assistance provided with the demolition and the transportation of waste.

64. For the purposes of the financial assessment, the Commission included the renovation, improvement and demolition expenses reported by the subject in the household's outgoing financial flows for the respective years. After this, the household maintained a positive balance between incoming and outgoing financial flows in each year under review.

VI. Conclusion

65. 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

66. As provided in Article 40 para. (4) of the Rules, this evaluation report will be sent by e-mail to the subject and the Superior Council of Magistracy. The Commission will publish the evaluation's result on its official website on the same day.

67. 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.

68. 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.

69. This evaluation report was approved by a unanimous vote of the Panel members on 22 September 2026 and signed pursuant to Articles 33 para. (7) and 40 para. (5) of the Rules.

70. Done in English and Romanian.

Marcel van de Wetering

Vice-chairperson of the Commission

Chair of Panel F