

## NEWSLETTER

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### About LRCM

Legal Resources Centre from Moldova (LRCM) is a nonprofit organization that contributes to strengthening democracy and the rule of law in the Republic of Moldova with emphasis on justice and human rights. Our work includes research and advocacy. We are independent and politically non-affiliated.

### Consistency of sanctions applied in corruption cases – the latest LRCM study

On 27 January 2022, the LRCM published the results of the research “Judgments and sanctions applied in corruption cases – how uniform is the legal practice”. The document results from a 15-month research process and it provides a quantitative and qualitative analysis of over 400 judgments issued by the Supreme Court of Justice (SCJ) over 48 months (January 2017-December 2020). The researchers examined the consistency of the sanctions applied by judges, as well as the procedure for examining these types of cases in national courts.

The research established, among other things, that the vast majority (over 90%) of corruption cases that reached the courts during the mentioned period refers to subjects or acts of ‘petty corruption’. The majority of cases of corruption feature police officers, individuals, local elected officials, lawyers, accountants, and customs inspectors. Only 7% of cases relate to subjects or cases of ‘grand corruption’ – such as judges, prosecutors, bailiffs, or high-ranking civil servants. The researchers note that there could be other categories of people who commit acts of corruption but who do not end up being examined in court, pleading guilty and reaching settlements.

Even though imprisonment is the most common sanction imposed by judges, 8 out of 10 convicts did not spend a day in prison. Only 18% of convicts spent an average of 2.3 years in detention after committing acts of corruption. At the same time, 2 out of 10 people found guilty only received fines. It is debatable to what extent imposing ‘light’ sanctions is due to poor legal framework or its application. On the other hand, cases of petty corruption cannot generate disproportionately large sanctions.

Justice in corruption cases has been served within an average of 3.5 years – the fastest case being tried in 138 days, and the longest trial in a corruption case lasted over 12 years. Every second case examined, before it became irrevocable, was re-tried at least once, and 12% of all cases analyzed were tried several times. Although the average length of a trial may be considered acceptable, there are serious concerns that corruption will be punished too late and perpetrators will not be able to serve their sentences due to the expiry

#### LEGAL RESOURCES CENTRE FROM MOLDOVA



On average a corruption case is tried for 3.5 years, while 8 out of 10 people convicted of corruption did not spend a day in prison.

of the statute of limitations or for other reasons, including the death of the person.

The research highlights that the legal practices of district courts and courts of appeal are not uniform, as district courts issue judgements that are often quashed (55%), and in 48% of cases the judgements of the judges within the court of appeal are different. Another worrying finding is that a great deal of corruption cases are acquitted, which happens at least four times more frequently than in ordinary criminal cases.

The study comes with a series of recommendations, the most important being the allocation of sufficient resources to fight grand corruption, specialization of judges and limiting the powers of the Anti-Corruption Prosecutor's Office to investigate grand corruption cases. At the same time, given the high rate of acquitted cases, the SCJ still needs to ensure uniform practice of the district courts and courts of appeal. Although there are several deviations in the consistency of the sanctions applied for corruption, the study does NOT recommend increasing the sanctions for corruption, although it is debatable to what extent the lack of dissuasive sanctions is due to the deficient legal framework, or the application of this legal framework. On the other hand, frequent changes in the legal framework may contribute to a non-uniform application practice.

The authors recommend, however, that the legislation be amended to include the possibility of extending the term of criminal liability or suspending the statute of limitations for corruption cases once a claim was filed, as well as excluding the possibility of repeated referral of corruption cases to retrial.

The findings and recommendations of the study can be accessed on [the LRCM website](#).

## In 2021, Moldova remains a top country with high numbers of applications and condemnations by the ECtHR

On 26 January 2021, the LRCM issued [an analytical note](#) on the Republic of Moldova to the European Court of Human Rights (ECtHR) in 2021. The LRCM analysis was based on the [ECtHR Activity Report](#) for that year and the [ECtHR case law](#) on Moldovan cases.

In 2021, the ECtHR received 630 applications against the Republic of Moldova. This number is almost equal to the applications submitted in 2019 (a year before the pandemic). Compared to the country's population, the number of applications is very high. In 2021, Moldovans approached the ECtHR 3 times more often than the European average.

As of 31 December 2021, the ECtHR issued 541 judgments in Moldovan cases, of which 68 in 2021. In this regard, Moldova ranks 5th out of the 47 member

In 2021, Moldovans submitted applications to the ECtHR 3 times more often than the European average. Moldova has most often been condemned by the ECtHR for the way judges have applied the law.

states of the Council of Europe. In its judgments, the ECtHR found 69 violations of the European Convention on Human Rights, most of which relate to the judges' practice.

From 1997 to 31 December 2021, the most common types of violations found by the ECtHR are non-enforcement of judgments, ill-treatment, inadequate investigation of ill-treatment, detention in poor conditions, arbitrary detention, and unlawful quashing of judgments.

As of 31 December 2021, 1,038 Moldovan applications were waiting to be examined and over 92% have a high chance of success. This number is almost equal to the total number of applications based on which our country has been convicted in the 24 years since people can complain to the ECtHR against Moldova.

Based on all the decisions and judgements issued by 31 December 2021, the Republic of Moldova was obliged to pay EUR 21,903,749, of which EUR 2,639,956 in 2021 alone.

As of 1 February 2022, the deadline for filing a claim with the ECtHR is reduced from 6 to 4 months. The LRCM explained [in an informative video](#) that the 4-month deadline will apply only concerning applications in which the exhaustion of domestic remedies ended on 1 February 2022 or later. For other applications, the deadline remains to be 6 months.

## | Parliament adopted a new Justice Sector Strategy

On 6 December 2021, with the vote of 55 MPs of the Action and Solidarity Party, the Parliament of the Republic of Moldova approved the [Strategy to ensure the independence and integrity of the justice sector](#) for the years 2022–2025 (Strategy). Previously, on 17 February 2021, President Maia SANDU returned the Strategy to the Parliament for re-examination (details in the [LRCM Newsletter no. 30](#)).

The strategy is an ambitious document that contains three strategic directions: the independence, responsibility, and integrity of justice actors; access to justice and the quality of justice; efficient and modern administration of the justice sector. Among the most important actions are the implementation of constitutional amendments on strengthening the independence of judges and the mandate of the Superior Council of Magistracy, reviewing the role of the Supreme Court of Justice, strengthening the independence of the Prosecutor's Office, and strengthening the capacity of the Superior Council of Prosecutors or improving the mechanism for judges and prosecutors' disciplinary liability, etc.

In terms of strengthening the integrity of the justice sector, it is proposed to limit the powers of the Anticorruption Prosecutor's Office to investigate high-level corruption cases and restructure the National Anticorruption Centre,

The new strategy is an ambitious document aimed at strengthening the independence, accountability and integrity of justice actors.

ensure effective verification of wealth and assets of judges and prosecutors by the National Integrity Authority, amend the Constitution to allow the confiscation of property that state employees cannot justify, etc.

However, the most important reform is the development and implementation of an efficient mechanism for vetting of judges and prosecutors (details in the [LRCM Bulletin no. 39](#)).

The financial sources necessary for the implementation of the Strategy will be covered from the state budget, international organizations' financial support and the support provided by the development partners. The implementation of the Strategy will be evaluated every six months by a Working Group set up by order of the Minister of Justice, consisting of representatives of the implementing institutions and civil society.

## **In March 2022 the external evaluation of the judiciary (vetting) should start**

The most discussed justice reform announced by the authorities is the vetting of the judges and prosecutors, i.e., the external evaluation of the integrity of judges and prosecutors by a body composed of national and foreign experts who are not part of the Moldovan judiciary. The first phase of this reform is the evaluation of the candidates for the Superior Council of Magistracy (SCM) and the Superior Council of Prosecutors (CSP). The mandate of the current composition of the two councils has expired in the autumn of 2021. The elections announced for November-December 2021 have been postponed due to the pandemic. According to the authorities, after the SCM and CSP's candidates will be vetted, the vetting of the integrity of all judges and prosecutors in the country will follow. It is estimated that the latter will start in the autumn of 2022 and will last for several years.

On 2 December 2021, the Ministry of Justice published the [draft law on the vetting](#) of the SCM and CSP candidates. On 13 December 2021, the Venice Commission published its opinion on the draft law, which includes several proposals for its improvement (details in [LRCM Newsletter no. 40](#)). The Ministry of Justice has amended the draft law, accepting some recommendations of the Venice Commission. On 19 January 2022, [the draft law was approved by the Government](#), which requested that the Parliament examines it as a matter of urgency. At the extraordinary sitting of Parliament on 21 January 2022, the draft law was adopted in its first reading. The document [was scheduled](#) for final reading by Parliament on 3 February 2022, but the vote was postponed by a week, apparently to continue political debates to ensure broad political support for the draft law providing for the vetting. The draft law was adopted in the final reading on 10 February 2022 by the vote of 63 PAS MPs, the opposition leaving the Parliament on the grounds that the project was not discussed jointly and does not take into account all the recommendations of the Venice Commission.

The draft law states that all candidates in the SCM and CSP – judges, prosecutors, and candidates from the civil society, will be subject to vetting. The vetting will be carried out by a six-member Board (Evaluation Board), three members nominated by the development partners and three by the parliamentary factions – two by the majority and one by the opposition. The composition of the Evaluation Board is to be approved with the vote of 3/5 of the MPs. It will be assisted by a secretariat funded by the development partners and subordinated to the Evaluation Board.

The Evaluation Board will check whether the candidate has behaved ethically, whether he/she has adopted arbitrary acts, whether he/she has admitted conflicts of interest, whether he/she has declared his assets properly and whether this corresponds to his/her income. The vetting of each candidate will take about two months. At the beginning of the vetting, the candidate will make statements about his/her relatives, wealth and expenses for the last five years. The Commission will verify this and other data, having direct access to public databases, with the possibility of accumulating information on its own from any person, including requesting further explanations from the candidate. It is up to the candidate to explain to the Board any aspects of the evaluation, and failure to give convincing explanations will lead to failing the vetting. The Evaluation Board is not bound by the findings of other bodies and may decide, for example, that breaches of professional ethics have been committed even if the disciplinary bodies have previously decided otherwise.

All candidates will be heard in open hearings, but for the sake of public order, morality or privacy, the Board may decide that certain parts of the hearings be held behind closed doors. The Board shall decide and issue a reasoned decision adopted by a majority vote whether or not a candidate has passed the vetting. The decision will be published on the Internet if the candidate does not object to the publication.

If failing the vetting, the person will not be able to run for office but will have the right to challenge the vetting decision in a special panel of three judges of the Supreme Court of Justice. If the panel admits the appeal, the panel will annul the vetting decision and order a new vetting by the Evaluation Board. The appeal procedures will not suspend the elections.

The law also sets new deadlines for other applicants to submit their applications. Judges and prosecutors can submit their files until 1 March 2022. Candidates for judges and prosecutors who have already submitted their files can withdraw from the race until 8 March 2022. According to the Ministry of Justice, the vetting of judges and prosecutors [will take place](#) before April 2022. The Parliament will also announce a competition for civil society representatives who want to become members of the SCM. Their list will be submitted to the Evaluation Board by 6 April 2022. The new SCM and CSP should become operational in June 2022.

By November 2021, [24 judges](#) had registered for the six vacancies of the SCM and [14 prosecutors](#) for the five vacancies within the SCP. Most likely, these lists

Judges and prosecutors can submit their applications for elections in the SCM and CSP until 1 March 2022

will change. Some candidates may withdraw, and other judges and prosecutors may enter the race. In addition, the Parliament is to select six civil society representatives in the SCM.

The law also stipulates that, along with the members of the SCM and the CSP, the candidates for the selection, evaluation and discipline boards of judges and prosecutors will also be vetted. The law, however, does not mention when they will be vetted and whether their election will take place simultaneously with the election of SCM and CSP members. The law only stipulates that the candidates for the CSP and the SCM will be vetted as a matter of priority. The Ministry of Justice expects a total of about 50-60 candidates to be vetted.

## Dispute between the Parliament and the Bar Association over lawyers' guarantees

On 21 January 2022, the Parliament voted in its final reading [the amendments](#) to the Law on Bar. The draft law mainly concerns the introduction of two additional conditions when joining the lawyers' profession for persons previously exempted from completing their professional training in law. The 'beneficiaries' of the amendments, former prosecutors and judges with at least ten years of experience, who previously benefited from quasi-automatic admission to the Bar, will be able to practice the profession only after (1) taking a qualification exam before the Licensing Board of the Bar, as well as only after (2) attending a compulsory courses, of at least 20 hours, on professional ethics, administration of the profession and other fields established in the Statute of the legal profession.

After being registered in the Parliament, the draft was [supplemented by a new amendment](#), suggested by the MP and Chair of the Legal Affairs Committee, Olesea STAMATE. The amendment, which later came to bear the author's name, proposed the exclusion of para. (2) of art. 52 of the Law on Bar ([a paragraph introduced six months earlier, in 2021](#)) according to which lawyers enjoy immunity in exercising the profession – the impossibility of being detained, subjected to apprehension, arrest, or searches without the prior consent of the Council of the Bar, except for the flagrant offence.

The intention to exclude the recently adopted guarantee, which according to the argumentative note, *'is excessive to the purpose and status of the profession'*, generated a series of reactions among lawyers. Shortly after learning of the Stamate initiative, lawyers [called for it to be withdrawn](#), citing, among other things, limiting lawyers' independence. For 18 and 19 January 2022, lawyers [declared](#) a Japanese strike – wearing of white garments by the lawyers, while continuing their activity. A few days later, the Council of the Bar announced a total strike – stopping to participate in legal proceedings, including the provision of state-guaranteed legal aid. On 21 January 2022, the lawyers [protested](#) in front of the Parliament, demanding that the guarantees were maintained.

The Parliament and the Bar have reached a compromise – lawyers will be detained without the prior consent of the Bar Council only when suspected of corruption or flagrant offences.

After several [rounds of talks](#), the author of the amendment accepted a middle-ground version. Lawyers have maintained their professional guarantee that they will not be detained without the prior consent of the Bar Council unless they are suspected of corruption or committing a flagrant offence. At the same time, when searching the lawyer's premises in cases other than flagrant offences, the lawyer will be entitled to request the presence of the dean of the Bar, or a lawyer appointed by him.

Although they went virtually unnoticed due to the lawyers' conflict with the author of the supplementary amendment, the initial changes that introduced the additional conditions for access to the legal profession have already taken effect. On 25 January 2022, the new amendments prevented [69 former prosecutors and judges](#), who were waiting to obtain a Bar license without a qualification exam, from becoming lawyers. Some of these candidates left the ranks of judges and prosecutors unexpectedly, having previously tried or handled high-profile cases, including the "Billion Theft" case or the conviction of former Prime Minister Vlad FILAT.

## Vladislav CLIMA, President of the Chişinău Court of Appeal, dismissed by the Presidents' Office and reinstated by the Chişinău Court

On 28 May 2021, President Maia SANDU [revoked](#) the appointment of Judge Vladislav CLIMA as President of the Chişinău Court of Appeal. Judge Clima had been appointed to this position on 2 September 2020, for a four-year term, by the former President Igor DODON, [at the proposal of the Superior Council of Magistracy \(SCM\)](#). The President's Office invoked new circumstances that became known to it regarding the contest organized by the SCM, that have to do with potential undeclared conflicts of interest of two SCM members. SCM member Elena BELEI was the academic supervisor of the PhD candidate Vladislav CLIMA. Moreover, Clima was presiding on the administrative case regarding the contestation of the SCM decision by which the agreement to prosecute former judge Mihail CIUGUREANU, the father of SCM member Carolina CIUGUREANU-MIHAILUȚĂ, was issued. The President's Office also added that the SCM has not clarified all the conditions related to ensuring the criteria of integrity and the impeccable reputation of Judge Clima.

The Presidents' Office returned to the SCM the decision of 28 July 2020 on the organization of the competition for the position of President of the Chişinău Court of Appeal. The SCM was to review that decision and decide whether to uphold Judge Clima's appointment or organize another competition. Meanwhile, Judge Clima challenged the President's decree in court. The SCM left the President's decree without any examination.

On 31 December 2021, Judge Alexei PANIŞ from the Chişinău District Court, Rîşcani premises [annulled](#) President Sandu's decree revoking the appointment

SCM avoided re-examining Judge Vladislav CLIMA's appointment to the office of President of the Chişinău Court of Appeal.

of Judge Clima from the position of President of the Chişinău Court of Appeal. Judge Paniş indicated that SCM member Elena BELEI became the academic supervisor of Clima on 24 September 2020, after the adoption of the SCM decision of 28 July 2020. Regarding SCM member Carolina CIUGUREANU-MIHAILUŢĂ, Judge Paniş argued that she was not obliged to refrain from examining the case, according to the provisions of the Administrative Code. The court indicated that the competent authority to determine whether or not there was a conflict of interest, in this case, is the National Integrity Authority (NIA). Judge Paniş indicated that he considers Judge Clima to have been reinstated as President of the Chişinău Court of Appeal.

The revocation of the appointment of judges to administrative positions as President or Vice-President of the Court is not regulated by national law. However, the court has examined the substance of the issues raised in the presidential decree of suspicion of conflict of interest rather formalistic. At the same time, the SCM avoided reviewing its decision and deciding whether or not to continue upholding Clima's appointment to the office. The issue raised by the President's Office is one of public interest and has not been resolved by the court or the SCM, which could re-examine this issue.

Judge Clima was part of the panel that decided on 21 June 2018 to cancel the results of the new local elections in Chişinău, which prompted harsh criticism both domestically and from the international community. Moreover, when the SCM decision was adopted on 28 July 2020, three SCM members issued a [separate opinion](#), invoking Clima's participation in the adoption of this decision. Although not procedurally required by law, the decree revoking the Court President's office was an opportunity for the SCM to redress its own mistakes, especially in the context of a major mistrust in the judiciary, an occasion the Council had missed on.

On 10 January 2022, Clima [returned](#) to his position as President of the Chişinău Court of Appeal after being reinstated by the Chişinău District Court, Rîşcani premises. In January 2022, the Intelligence and Security Service (SIS) [informed](#) the National Anticorruption Center (NAC), the General Prosecutor's Office and the interim President of the SCM about an alleged conflict of interest between Judge Clima and Judge Paniş at the Chişinău District Court, Rîşcani premises. According to the SIS, the fathers of these two judges funded two companies. SIS also claimed that Judge Paniş ordered the reinstatement of Clima as President of the Chişinău Court of Appeal, with immediate enforcement of the decision, although in the lawsuit, Clima requested only the annulment of the decree, not his reinstatement as President of the Chişinău Court of Appeal. Judge Paniş [described](#) the complaint as intimidating and noted that he would notify NIA.

## The Parliament has changed the way prosecutors are selected and promoted

On 21 January 2022, the Parliament adopted in its second reading [the draft law](#) on amending the [Law on the Prosecutor's Office](#), with [the vote](#) of 55 MPs from PAS. [The amendments](#) entered into force on 28 January 2022 (Law No. 11 of 21 January 2022) and refer to the procedure of obtaining the position of General Prosecutor or Chief Prosecutor of specialized prosecution offices, as well as other issues related to the selection and career of prosecutors. Initially, the draft law proposed changes to the interim position of Prosecutor General, but these were later ruled out by [an amendment by the Chair of the Legal Commission](#), following consultations with the Venice Commission.

People with at least 10 years of professional experience in the field of law, accumulated both in the country and abroad, including in international organizations, of which at least five years (for the position of Prosecutor General) and four years (for the position of Chief Prosecutor of specialized prosecution offices), serving a prosecutor, judge, lawyer, or criminal investigation officer, can candidate for the position of Prosecutor General or Chief Prosecutor for specialized prosecution offices. For the position of Chief Prosecutor of Specialized Prosecutor's Offices, there should be no reasonable suspicion of candidates ever committing acts of corruption, or any related acts within the meaning of the Integrity Law no. 82/2017.

The procedure for appointing the Chief Prosecutor within the specialized Prosecutor's Offices also provides that the Superior Council of Prosecutors (SCP) establishes a special board for the pre-selection of candidates. This Board will consist of five members – one appointed by the Ministry of Justice, one by the President of the country and three members appointed by the SCP. Persons who have qualifications in the field of law and/or public management, have at least 10 years of experience in the field of professional activity in the country or abroad and enjoy an impeccable reputation can become members of the special Board. In its work, the Board will be assisted by a psychologist with the right to draw written conclusions. According to the procedure, the special Board will verify the integrity and managerial skills of the candidates and will send the complete list of candidates, with the score and the results of the evaluation to the SCP. However, the SCP is entitled to make its own assessment and select any candidate admitted to the competition, even if it is not the candidate who won the competition according to the special Board.

Within 10 days from the receipt of the SCP proposal, the Prosecutor General may reject the proposed application for the position of Chief Prosecutor of the Specialized Prosecutor's Office if indisputable evidence of incompatibility of the candidate with that position, violation by the candidate or violation of the legal procedures for its selection is found. If the candidate proposed by the SCP is rejected, the candidate's file is returned to the special Board, together with the motivation of the Prosecutor General. The special Board may reject the objections in whole or in part, amend the decision and revoke the decision,

Persons who gained experience abroad, including in international organizations, will also be able to run the position of Prosecutor General and Chief Prosecutor of the Specialized Prosecutor's Offices.

The score provided by the Board for the selection and career of prosecutors is no longer decisive in the appointment and promotion of prosecutors.

or resume the pre-selection procedure. If the same candidate is repeatedly proposed, the Prosecutor General issues, within 5 working days, the order regarding the appointment of the candidate in the position of Chief Prosecutor of the Specialized Prosecutor's Office.

Prosecutors wishing to be promoted or transferred to another Prosecutor's Office must be entered in the Registrar of Candidates for the filling of vacancies and subject to performance evaluation for at least two previous years (which was previously four years) before submitting the application for registration in the Registrar. Transferring to a similar or inferior position will only happen by competition, based on a regulation established by the SCP. This way, transparency and objectivity of the appointment process will be ensured and the possibility of appointing prosecutors in uncertain, unclear, and non-transparent conditions will be excluded.

Law no. 11 of 11 January 2022 changed the approach to the selection and career of prosecutors without a thorough analysis and justification, then the announced intention to 'strengthen' the role of the SCP in the process of appointing prosecutors. Art. 24, para. (5) and (6) of the Law on the Prosecutor's Office, [version before 21 January 2022](#), provided for the right of candidates to choose their positions put up for competition in descending order of the score obtained at the Board for the selection and career of prosecutors, and if two or more candidates obtained an equal score, the first to choose the position is the candidate who obtained better results at the National Institute of Justice or in their performance evaluation. Thus, the SCP was bound by the score provided by the Board for the selection and career of prosecutors when proposing to the Prosecutor General the appointment or promotion of a prosecutor. The SCP could refuse to nominate a candidate if it finds that the candidate is incompatible with the position of the prosecutor.

With the January 2022 amendments, the SCP will no longer be bound by the score provided by the Board for the selection and career of prosecutors but will be able to propose the appointment of candidates based on its assessment. This change raises big questions about the purpose and impact it will have. The process of selecting and appointing prosecutors will be made more complex, adding a new phase – the evaluation of all candidates by the SCP. Practically, the selection competencies will be divided and duplicated between Board and the SCP.

If the proposals of the SCP will be significantly different from those of the Board for the selection and career of prosecutors, the need for the activity of the Board will be questioned. At least so far, no significant shortcomings have been identified in the evaluation process by the Board for the selection and career of prosecutors and it is not clear why this change was necessary. On the other hand, the Superior Council of Magistracy (SCM) applied a similar system for the appointment and promotion of judges in January 2022. The evaluation of candidates by the SCM has so far been [the most non-transparent and confusing phase of the process of appointing and promoting judges](#).

## | In Brief:

On 3 January 2022, Ina FRUNZA-BARGAN, the prosecutor appointed by the Superior Council of Prosecutors (SCP), for the examination of the alleged illegal actions of the acting Prosecutor General, Dumitru ROBU, videotaped and broadcast by some media outlets, in which he receives an amount of money, [refused](#) to initiate a criminal case for this incident. The prosecutor motivated her decision by the fact that the presented evidence did not confirm the commission of corruption or corruption-related offences. On 18 November 2021, immediately after the video was published by the media, the acting Prosecutor General, Dumitru ROBU, came up with a [public explanation](#) on the origin of that money and the reasons behind that video.

Former DA Platform MP Inga GRIGORIU challenged at the Superior Council of Prosecutors (SCP) [the refusal](#) of prosecutor Andrei BALAN of 29 December 2021, to launch a criminal investigation on behalf of the suspended Prosecutor General, Alexandr Stoianoglo, regarding the expulsion of Turkish teachers. The refusal to initiate criminal proceedings was motivated by the fact that the presented evidence does not confirm the fact of committing the offences provided by art. 303, art. 327 and art. 328 of the Criminal Code. The SCP examined the appeal and ordered its referral to the Anti-Corruption Prosecutor's Office.

On 26 January 2022, the Legal Officer of the LRCM, Ilie CHIRTOACĂ, [was selected](#) as member of the Integrity Council (IC) of the National Integrity Authority (NIA) from the civil society. According to the [amendments](#) regarding NIA, the Integrity Council consists of nine members, including a representative appointed by the Parliament, the President of the Republic of Moldova, the Government, the Superior Council of Magistracy, the Superior Council of Prosecutors, the Congress of Local Authorities of Moldova and three representatives of civil society, selected by the Ministry of Justice through a competition. In October 2021, the Integrity Council became dysfunctional after several members' terms expired. Afterwards, only the Government managed to [appoint](#) a new member – Alexandru COICA [was delegated](#) as a member of the IC at the Government meeting of 26 January 2022. To become functional, at least five members must attend Council meetings. At this stage, the Parliament of the Republic of Moldova, the Congress of Local Authorities of Moldova, the President of the Republic of Moldova, as well as the Ministry of Justice must nominate one candidate each.

On 27 January 2022, the Anticorruption Prosecutor's Office [announced](#) the conduct of nine searches in a criminal case involving the President of the National Integrity Authority (NIA), Rodica ANTOCI, as well as one other NIA employee. According to the press release, President Antoci allegedly harmed the institution she leads with over 120,000 MDL after ordering the performance of works and services that were not necessary or were not provided in the contracts concluded with the economic agents. The case is pending. President Antoci [denied the allegations](#) and continued her duties.

On 3 February 2022, Ceslav PANICO was appointed People's Advocate for a term of seven years. A [draft decision](#) to this effect was approved by [the vote of 56 MPs](#). A total of seven people took part in the competition for [the selection of candidates for the position](#) of People's Advocate. These were Violeta GAȘIȚOI, Teodor CÂRNAȚ, Ilie ROTARU, Emanoil PLOȘNIȚA, Ceslav PANICO, Alexandru ZUBCO and Evghenii GOLOȘCEAPOV. Following the interview test, the Parliamentary Commission proposed to the Plenary Session of the Parliament two highest scoring candidates, Ceslav PANICO and Alexandru ZUBCO.

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