

## NEWSLETTER

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IN BRIEF

### 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.

### The Parliament passed constitutional amendments concerning the judiciary

On 23 September 2021, the Parliament passed the [draft Law no. 507](#) in its second reading. The bill, filed on 10 December 2020, included a series of constitutional amendments concerning the judiciary. [Law 120 on the Amendment of the Constitution](#) was published in the Official Gazette on 1 October 2021 and will come into force on 1 April 2022.

The main constitutional amendments concerning the judiciary:

- The initial appointment of judges for five years was excluded. Judges will have life tenure that will last until the mandatory retirement age. This amendment is essential for strengthening judicial independence as, previously, the initial appointment could have influenced the behavior of judges who could be denied life tenure after the end of the first five years of service. Judges whose initial appointment period will not have elapsed by the effective date of Law 120 will be considered appointed for life until they reach the mandatory retirement age as stated in the law.
- The appointment of supreme court justices by Parliament was excluded. Thus, all judges will be nominated for office by the Superior Council of the Magistracy (SCM) and appointed by the president of the country who will have the right to reject the nominations made by the SCM only once. This amendment is also essential for strengthening judicial independence because it excludes important political leverage over the judiciary. The politicization of appointments to the Supreme Court of Justice (SCJ) has always been an area of concern in the Republic of Moldova, [the recent case of Judge Viorica PUICA](#) being one of the most telling examples of Parliament's arbitrary refusal to appoint a candidate nominated by the SCM. The amendment also excluded the requirement concerning ten years of prior judicial service for being appointed to the SCJ. This requirement is also included in [Law 544 on the Status of Judge](#).
- The composition of the SCM and the mechanism of appointing its members were changed. Specifically, this amendment excluded *ex officio* members of the SCM (Justice Minister, Prosecutor

#### Legal Resources Centre from Moldova



After two failures, the Parliament passed constitutional amendments concerning the judiciary, including important provisions for the independence and accountability of the judiciary, on 23 September 2021.

General, and Chief Justice). It also explicitly established that the SCM will have 12 members, namely six judges elected by the General Assembly of Judges of all levels of the courts system and six persons of impeccable professional reputation, who show complete personal integrity, are experienced in law or another relevant field, do not work in the legislature, the executive, or the judiciary, and are not politically affiliated. The Parliament will appoint non-judge members through competition, following a transparent procedure, and on merit by a vote of three-fifths of MPs (61 MPs).

SCM members will serve six years and will not have the right to serve two consecutive terms. The judge members of the SCM who will be serving on the effective date of Law 120 (1 April 2022) will maintain their mandate until the completion of the term they were elected for. The mandates of *ex officio* members will end on 1 April 2022, and the mandates of tenure professors serving on the effective date of Law 120 will be confirmed for a total term of six years by a vote of three-fifths of MPs (61 MPs).

The change of the composition of the SCM (the exclusion of *ex officio* members and the establishment of the number of members in the Constitution) and the mechanism of appointing its non-judge members (by a vote of three-fifths rather than by a simple majority) are meant to strengthen the independence of the SCM by excluding political or executive influences that may come from the Ministry of Justice or the Prosecutor General and reduce the potential for hierarchical influence by the Chief Justice on the administration of the judiciary.

- The constitutional amendments also include several important provisions meant to strengthen the independence and quality of justice administration. It was explicitly established that decisions concerning the appointment of judges and their career must be based on objective criteria and merits and must be adopted through a transparent procedure and in accordance with the law. These provisions are meant to contribute to improving the mechanism of appointing and promoting judges. Particularly, competent bodies will have to present proper reasoning for such decisions. It was also explicitly established that judges enjoy only functional immunity, which should increase the individual accountability of judges.
- Important provisions were introduced to clarify how the SCM operates and its role. These provisions established that the SCM is the guarantor of judicial independence. They also established the obligation to consult the SCM, through advisory opinions, while planning, approving, and amending the budget for the courts system. The SCM may also present the Parliament with proposals for the draft budget for the courts system. These provisions will strengthen the involvement of the SCM in the process of budgeting for the courts system and will reduce its dependence on the executive and political factors. Last but not least, these provisions established that the SCM exercises its powers directly and through its specialized bodies. This allows the legislature to strengthen the entities affiliated with the SCM, including by simplifying several procedures, such as the disciplinary procedure (for example, by excluding the SCM from the entities involved in the disciplinary procedure).

The amendments adopted on 23 September 2021 are necessary to strengthen the independence and accountability of the judiciary. Previously, the Parliament failed to pass these constitutional amendments twice. The Legal Resources Centre from Moldova (LRCM) submitted four opinions concerning bills similar to the adopted one, namely on [5 October 2015](#), [23 June 2017](#), [25 November 2019](#), and [30 June 2020](#). The Venice Commission also submitted several opinions concerning those bills, for example, opinions [916/2018 of 19 March 2018](#), [983/2020 of 20 March 2020 \(CDL-AD\(2020\)001\)](#), and [983 of 19 June 2020 \(CDL-AD\(2020\)007\)](#).

## Competition in promoting prosecutors is only formal

Executive positions in the prosecution get filled mostly without genuine competition. On 16 September 2021, the Legal Resources Centre from Moldova (LRCM) released a report – [Promotion of Prosecutors—from Law to Reality: 1 January 2019–31 May 2021](#), which assessed the practical application of the innovations from the new Law on the Public Prosecution Service in promoting prosecutors during the period of 1 January 2019–31 May 2021. The study found that 22 (85%) out of 26 executive positions were filled through competitions that had only one candidate each. 17 (65%) of those positions went to candidates who had been filling them on an interim basis by discretionary order of the Prosecutor General. These figures show that the current situation in the prosecution system does not encourage competition between prosecutors and, in most cases, competitions for executive positions are a mere formality.

Another aspect analyzed by the LRCM is how the Prosecutor General uses the transfer of prosecutors to influence their careers. Since [24 July 2020](#), the Prosecutor General has made 24 transfers without holding a competition beforehand. 11 transfers (46%) were from territorial prosecution offices to prosecution offices in the Municipality of Chişinău, thus effectively being disguised promotions. The untransparent and discretionary procedure used to make transfers is becoming a *de facto* means of gaining prosecutors' loyalties to the Prosecutor General.

The LRCM also analyzed the promotion of prosecutors from the gender perspective and found that, as of 31 December 2020, women filled only 12 (9.6%) out of 124 executive positions in the prosecution system. Moreover, only two (6%) of the 34 candidates registered in competitions for executive positions were female. Both had been filling those positions on an interim basis and won the competitions in the absence of challengers.

The means of promoting to interim chief of the Anticorruption Prosecution Office (APO) also raises questions. On 22 June 2021, the Prosecutor General decided to appoint Adrian BORDIANU, a member of the Superior Council of Prosecutors (SCP), as [interim chief](#) of the APO. As a result, his membership in the SCP was terminated. The Prosecutor General [motivated](#) his decision by

Untransparent and discretionary transfers made by the Prosecutor General ensure the loyalty of the transferred prosecutors

“the need to ensure the operation of the specialized prosecution office”. It is not clear why the position of interim chief of the APO had to be filled by an SCP member rather than a prosecutor experienced in anticorruption. Moreover, the SCP has not announced the competition for chief of the APO yet, even though it has been three months since the interim chief of the APO was appointed.

On 17 August 2021, the SCP promoted [eight prosecutors to executive positions](#) at territorial prosecution offices. They were promoted in the absence of other candidates. Six of them had already been serving as interim holders of those positions. On 30 September 2021, the SCP [announced competitions](#) for another 15 executive positions in the prosecution system. Considering how few genuine competitions are actually held and that it appears that only candidates that are endorsed by the prosecution leadership compete for vacancies, the LRCM recommended:

- ensuring that the SCP published all vacancies within the prosecution service;
- excluding transfers made at the discretion of the Prosecutor General; and
- revising the candidate appraisal criteria used by the specialized boards of the SCP.

### **For the first time, a Prosecutor General in the office is suspended and faces criminal charges and several prosecutors with executive positions at specialized prosecution offices get revoked**

On 30 September 2021, Lilian CARP, an MP for the Action and Solidarity Party (PAS) and chairperson of the Parliament Committee for National Security, Defense, and Public Order filed an [exposé](#) with the Superior Council of Prosecutors (SCP), alleging illegal actions taken by Prosecutor General Alexandr STOIANOGLO.

According to the exposé, from 2010 through 2013, Alexandr STOIANOGLO, then an MP and chairperson of a parliamentary committee, ensured the adoption of an amendment to the [Law on the Prevention and Combating of Money Laundering](#). This amendment would later allow the application of the criminal plot known as [Laundromat](#), which led to the laundering of approximately USD 20 billion through the judicial system of the Republic of Moldova. MP Carp also alleged that Stoianoglo, this time as Prosecutor General, had facilitated and influenced, contrary to the law, the release of businessman Veaceslav PLATON from prison. Another charge was that Stoianoglo's spouse [had become the effective beneficiary](#) of several companies affiliated with Platon and incorporated in Ukraine. The last charge was that Stoianoglo had offered Prosecutor Nicolae CHITOROAGĂ compensation amounting to approximately MDL 270,000 for a one-off dismissal. Although the law provides for this

compensation, the dismissed prosecutor did not have the right to receive it until the final resolution of the disciplinary action against him. MP Carp said that he had only learned the information indicated in the exposé from public sources.

A few days after the exposure, on 4 October 2021, Prosecutor General Stoianoglo held a [press conference](#) where, among other statements, he [blamed](#) several civil society organizations, including the Legal Resources Centre from Moldova (LRCM), independent media outlets, and several development partners for these accusations and discrediting his authority. Thirteen civil society organizations, including those explicitly named by Stoianoglo at the press conference, released a [public statement](#), describing the prosecutor's accusations as defamatory, groundless, and meant to distract public attention from the issues of the prosecution system. The Minister of Foreign Affairs and European Integration Nicu POPESCU [stated](#) that the use of the name of a high-ranking official of the European Union (EU) to justify the settling of personal political scores was regrettable and dangerous in the relationship with foreign partners.

The next day, on 5 October 2021, the SCP convened in an [extraordinary meeting](#) to examine the admissibility of MP Carp's exposé. By that time, the composition of the SCP had already changed. As a result of the hasty [legal amendments](#) of August 2021 (see [the LRCM's Newsletter 36](#) for more details), the Prosecutor General and the prosecutor of the Autonomous ATU Găgăuzia had been excluded. The amendments had also led to the termination by the law of the mandate of SCP member for civil society Dumitru PULBERE, who had been appointed by the ex-president of the country, due to his age of 65 years. It may not be ruled out that the amendments were operated to exclude Pulbere from the SCP and to allow President Maia SANDU to appoint another member. On 30 September 2021, the Constitutional Court [declared inadmissible](#) the application filed by the Prosecutor General and the MPs from the Socialist Party of the Republic of Moldova (PSRM) to challenge the constitutionality of the legal provisions that had led to the exclusion of Dumitru PULBERE. On the same day, President Maia SANDU [appointed Svetlana BALMUŞ](#) new SCP member representing civil society based on the results of a [public competition](#). In addition, the membership of the SCM was complemented with the new ombudsperson, Natalia MOLOŞAG who [was elected by the PAS's majority vote](#) in Parliament on 23 September 2021. Moloşag had acted as Maia SANDU's lawyer during the 2020 presidential election campaign. With these new appointments, the vote of the prosecutor members of the SCP significantly weakened.

According to Article 34 (5) of the Law on the Prosecution Authority, only a prosecutor appointed by the SCP may start prosecution against the Prosecutor General. On 5 October 2021, at an extraordinary meeting, the SCP appointed Prosecutor Victor FURTUNĂ of the Anticorruption Prosecution Office to examine the allegations concerning Alexandr STOIANOGLO made in the exposé



filed by MP Carp. The following seven members of the SCP voted in favor of [the SCP decision](#): Sergiu LITVINENCO, justice minister; Dorel MUSTEAȚĂ, interim chairperson of the SCM; Natalia MOLOȘAG, ombudsperson; Ion GUCEAC, representative of the Academy of Sciences; Lilia POTÎNG and Svetlana BALMUȘ, members of the civil society; and Andrei ROȘCA, chief prosecutor of the Prosecution Office of Rezina. The members who voted against were Angela MOTUZOC, chairperson of the SCP; Constantin ȘUȘU and Inga FURTUNĂ, prosecutors, and Lilia MĂRGINEANU, civil society representative appointed by the previous legislature. They prepared and signed a [dissenting opinion](#) against the decision of the SCP.

The 5 October 2021 extraordinary meeting of the SCP was marked by several events. At the beginning of the meeting, the SCP's Chairperson Angela MOTUZOC [challenged](#) the legality of the participation of the SCM's Interim Chairperson Dorel MUSTEAȚĂ, citing the lack of any legal act confirming the legality of his interim position. During the extraordinary meeting of the SCP, Prosecutor General Alexandr STOIANOGLO [appeared unexpectedly](#) and threatened the SCP members with a contravention action for any potential decision they took. The prosecutor presented written recusals for five SCP members who later voted in favor. Both the request of the SCP's chairperson to ban Musteață from the meeting and the recusal requests were dismissed. Eventually, Stoianoglo left the meeting.

On the same day, a few hours after the SCP adopted its decision, at approximately 05:00 p.m., the prosecutor appointed to investigate the validity of the allegations in the exposé [informed the SCP](#) about the initiation of prosecution against Prosecutor General Alexandr STOIANOGLO on charges of passive corruption, abuse of power, excess of power, and misrepresentation. According to the legal amendments made in August 2021 (Article 55<sup>1</sup> of the Law on the Prosecution Authority), the mandate of a Prosecutor General investigated on criminal charges must be suspended. It is the first time in the history of the Republic of Moldova that a Prosecutor General in office stands prosecution.

By 07:00 p.m., the masked officers of the Intelligence and Security Service (SIS) [had arrested](#) the Prosecutor General. The arrest happened just several minutes before Stoianoglo could hold a press briefing he had announced on learning about the initiation of prosecution against him. That evening, the police searched Stoianoglo's office and home. Stoianoglo was taken into police custody at the Police Directorate of the Municipality of Chișinău at 6 Tighina St. Two Socialist MPs [visited](#) the suspended Prosecutor General in the holding cell to make sure that his rights were respected.

The initiation of prosecution against Stoianoglo and his arrest triggered numerous [reactions](#) from the public, especially concerning how swift the decisions were made and how non-transparent were the reasons of the prosecution. On the same day, Stoianoglo petitioned in court for the cancellation of the SCP's decision of 5 October 2021. This petition is pending examination at the Chișinău Court of Appeals.

For the first time in the history of the Republic of Moldova, a Prosecutor General in office stands prosecution. Prosecutor General Alexandr STOIANOGLO was suspended from office and placed under house arrest for 30 days.

The next day, 6 October 2021, Ruslan POPOV and Iurie PEREVOZNIC, the Prosecutor General's deputies suspended from office, held a [press conference](#) where they presented a series of arguments meant to dismiss the charges against Stoianoglo. Among other things, they informed that the dismissal compensation paid to Nicolae CHITOROAGĂ had been returned. Opposition [MPs from the Bloc of Communists and Socialists \(BCS\)](#), [Governor of Găgăuzia Irina VLAH](#), and [local members](#) of the People's Assembly of Găgăuzia (PAG) also stepped in to support Stoianoglo. The PAG members even announced an ultimatum to have Stoianoglo released by noon on 7 October 2021, or they would cause "*actions of insubordination in most diverse forms allowed by law.*" These statements could be viewed as interference in the administration of justice.

Meanwhile, on 6 October 2021, the SCP examined [two candidacies](#) for the position of interim Prosecutor General. After hearing Prosecutors Dumitru ROBU and Victoria FURTUNĂ, the SCP [voted](#) to appoint Prosecutor Robu interim Prosecutor General. Several hours later, President Maia SANDU signed a [decree](#) confirming the appointment. Dumitru ROBU had already served as interim Prosecutor General in 2019, immediately after the dismissal of Eduard HARUNJEN and before the appointment of Alexandr STOIANOGLO as Prosecutor General. It is expected that Robu will appoint his interim deputies.

On 6 October 2021, the day of his appointment by the SCP, Prosecutor Furtună [filed a complaint](#) with the SCP about the interference of Interim Chief of the Anticorruption Prosecution Office (APO) Adrian BORDIANU in his work. The press published [an audio recording](#) where Bordianu requests that Prosecutor Furtună writes an explanation note and gives the case file for verification. The SCP decided to assign the newly appointed interim Prosecutor General to examine the complaint. On 7 October 2021, Prosecutor Robu [decided to suspend](#) Interim Chief Adrian BORDIANU of the APO and interim deputy chiefs of the Prosecution Office for Fighting Organized Crime and Special Cases (PCCOCS).

On 7 October 2021, Prosecutor Furtună filed a request for arresting Stoianoglo with the Chişinău District Court. According to Article 175 (4) of the Criminal Procedure Code, arrests may be applied only to the persons who have the status of the accused. The court had no more than 72 hours from the arrest to decide on the motion for arrest, and this time elapsed on 8 October 2021.

The next morning, on 8 October 2021, a group of protesters led by Socialist MPs Vasile BOLEA and Vlad BĂTRÎNCEA, who also serves as deputy speaker of Parliament, chanted slogans asking for Prosecutor General Stoianoglo to be released in front of the Chişinău District Court, Ciocana Office, where judges were considering the prosecution's request for arrest. Several Socialist MPs also [posted bail](#) to let Stoianoglo stay free during the trial. Bail represents the undertaking of responsibility by a person (bailor) for the promise that another person will not dodge prosecution, where the bailor posts a sum of money amounting to MDL 2,500 to 15,000 to the bank account of the court. The number of bailors may not be smaller than two and larger than five. In their [press release](#), PSRM did not indicate the number of bailors from Socialist MPs and neither the amount of money they posted as bail for the suspended Prosecutor General.

Meanwhile, Victor MUNTEANU, Stoianoglo's lawyer, [petitioned](#) to have the motion for arrest transferred to another court, arguing that judges of the Chişinău District Court, Ciocana Office, had publicly argued with Stoianoglo, which raised doubts about their impartiality and objectivity. The SCJ [dismissed](#) the motion for transfer on 8 October 2021, a few hours after it was filed.

On 8 October 2021, the press [published images](#) showing that Stoianoglo's lawyers were not allowed to talk confidentially to their client at the courthouse. Prosecutor Furtună explained that this measure was taken because of the risk that they could pass prohibited objects to their client. Later, the Prosecutor General's Office stated that Stoianoglo was offered three hours to talk in private with his lawyers at the courthouse. At approximately 06:00 p.m., the Chişinău District Court, Ciocana Office, [decided](#) to place the suspended Prosecutor Stoianoglo under a 30-day house arrest. If prosecutors determine that Prosecutor General Stoianoglo is guilty, he risks over ten years of imprisonment and, implicitly, dismissal from office. Stoianoglo [described](#) the whole situation as "*retaliation from President*" Maia SANDU.

On 8 October 2021, President Maia SANDU [requested](#) that the prosecution keeps the public informed in full and in a timely manner about the procedures applied in the case of Alexandr STOIANOGLO. On the same day, Ombudsperson Natalia MOLOŞAG [declared](#) that the violation of suspended Prosecutor General Stoianoglo's right to defense was unacceptable. Several civil society organizations [requested](#) keeping the examination of the Prosecutor General's case apolitical, transparent, and as fair as possible. The Chief of the Delegation of the European Union to the Republic of Moldova, Jānis MAŽEIKS [declared](#) that the EU Delegation was closely watching the case and the charges levelled against the Prosecutor General and that the decision was within the laws of the Republic of Moldova and that the case belonged to the judiciary and should remain there rather than be politicized.

## | The PACE elected a new Moldovan judge to the ECtHR

The mandate of Moldovan Judge Valeriu GRIŢCO at the European Court of Human Rights (ECtHR) expires on 2 December 2021. The Parliamentary Assembly of the Council of Europe (PACE) was to elect the next judge from a list of three candidates put up by the Government of the Republic of Moldova. Judges at the ECtHR are independent and do not act on behalf of the states that put them up. More information about ECtHR judges is available in [a video](#) produced by the Legal Resources Centre from Moldova (LRCM).

In January 2021, a special committee set up by the Government selected three candidates for the office of judge appointed by the Republic of Moldova (for more details, see [the LRCM's Newsletter 29](#)). The three candidates were Diana SCOBIOALĂ, head of the National Institute of Justice; Vladimir GROSU, former Government representative and ex-Minister of Justice; and Nicolae EŞANU, former Vice Minister of Justice and legal advisor to Ion CHICU when the latter was Prime Minister.

Diana SCOBIOALĂ  
was elected as  
ECtHR judge in the  
first round. She will  
start her work at the  
ECtHR in January  
2022.



The deadline for sending the list of the three candidates to the PACE was 10 May 2021, and the election at the PACE was slated for June 2021. The Moldovan ambassador to the Council of Europe shared with the PACE the list of candidates on [28 May 2021](#). As a result, the election of the Moldovan judge was delayed until the September 2021 session of the PACE. The three candidates were invited for a hearing before [the PACE Committee on the Election of Judges to the ECtHR](#). The hearing took place in Paris on 17 September 2021 and was led by Titus CORLĂȚEAN, MP from the Social Democratic Party (PSD) at the PACE for Romania. Afterwards, [the committee recommended the PACE](#) Vladimir GROSU and Diana SCOBIOALĂ as equal candidates. The nomination of two candidates is rare. The committee usually recommends only one.

The PACE elects judges to the ECtHR by secret ballot. The candidate who receives more than half of the validly cast votes during the first round is considered judge-elect. If none of the candidates gets more than half of the votes, a second round takes place the next day and the candidate with the most votes gets elected as judge to the ECtHR. The election of the Moldovan judge took place on 28 September 2021. 238 of the 324 members of the PACE participated in the vote. Out of [the 227 validly cast votes](#), 122 were for Diana SCOBIOALĂ and 102, for Vladimir GROSU. Nicolae EȘANU got three votes. Thus, Diana SCOBIOALĂ was elected judge to the ECtHR in the first round.

Diana SCOBIOALĂ has been teaching international law at the Law Faculty of the State University of Moldova since 1998. She is a habilitated doctor in law and a university professor. Since 2015, she has been working as the head of the National Institute of Justice. She also worked at the Ministry of Justice, Government Representative Directorate, from 2002 to 2011. Diana SCOBIOALĂ will start her nine-year term as ECtHR judge in January 2022.

## IN BRIEF

**On 2 September 2021**, Eugeniu RURAC, former anticorruption prosecutor, was appointed as chief of the Division for the Protection of the Constitutional Regime at the Intelligence and Security Service (ISS). ISS representatives did not offer details about this appointment, citing "state secret". Eugeniu RURAC has been working as a prosecutor at the Anticorruption Prosecution Office since July 2016 and gained a reputation after handling several high-profile cases, including Metalferos. On 23 January 2020, after the appointment of a new Prosecutor General, he resigned without explaining the reasons.

**On 3 September 2021**, the Anenii Noi District Court [sentenced](#) Judge Oleg MELNICIUC to seven years in prison with effective enforcement in a closed penitentiary. He was convicted for illicit enrichment and misrepresentation. It was found that the judge and his family-owned property that was worth significantly more than their earnings, while evidence showed that they could not have acquired it legally. The criminal case against Melniciuc was initiated

in the summer of 2017 and referred to the Chişinău District Court, where he worked as a judge. In 2019, the Supreme Court of Justice (SCJ) decided to transfer the examination of the criminal case to the Anenii Noi District Court to avoid suspicions about the objectivity of the court.

**On 8 September 2021**, the government appointed Iurie PODARILOV as chief of the General Police Inspectorate (GPI). Previously, since March 2013, he had served as deputy chief of the Center for Combating Trafficking in Persons. In February 2017, he was arrested and, in 2018, [sentenced](#) to four years in prison with effective enforcement for influence peddling. In July this year, Iurie PODARILOV was acquitted by a final judgment. His appointment as the GPI's chief generated much [criticism](#) in society.

**On 14 September 2021**, the European Court of Human Rights (ECtHR) ruled on the case of [Petrenco and others v. the Republic of Moldova](#), finding the Republic of Moldova guilty of the violation of Articles 5 (1) (lawful detention) and 11 (freedom of assembly and association) of [the European Convention on Human Rights](#) (ECHR). The case concerned the apprehension and arrest of the plaintiffs on charges of public disorder after a protest in front of the Prosecutor General's Office organized by them in September 2015. The court found that the charges of the riot were not supported by the footage submitted by the Government and, therefore, the arrest was not warranted by reasonable suspicion. All plaintiffs had been held four months and a half at Penitentiary 13 and then placed under house arrest for approximately the same time. The ECtHR ordered the Government of the Republic of Moldova to pay the plaintiffs a total amount of EUR 63,750 in moral damages for the suffered violations and EUR 4,000 in costs and expenses for legal representation and counselling at the ECtHR.

**On 21 September 2021**, the Superior Council of the Magistracy (SCM) [decided to delay](#) the General Assembly of Judges (GAJ)—initially planned for 1 October 2021—until 3 December 2021. The SCM members explained that the delay was necessary due to [the amendments](#) to the Law of 24 August 2021 on Judicial Organization (for more details, see [the LRCM's Newsletter 36](#)). It is expected that the GAJ will elect permanent and alternate judge members of the SCM and members of the specialized boards of the SCM. Judge candidates for SCM members may conduct promotion (election) campaigns. Chief Judges must facilitate candidates' meetings with judges. Judges may submit their applications to the SCM by 3 November 2021. [The applications](#) submitted earlier will be kept for consideration.

**On 21 September 2021**, the Superior Council of the Magistracy appointed Ion GUZUN, a lawyer, and Stela SUBOTIN, administrator of an insurance company, as [members of civil society](#) in the Board for Selection and Career of Judges (Board for Selection). The Board for Selection has seven members of whom four are from the judiciary and three represent civil society. Currently, the Board for Selection is not functional for lack of quorum. Judge-members of the Board for Selection will be elected at the General Assembly of Judges on 3 December 2021.

On 23 September 2021, the Parliament **voted** to appoint Natalia MOLOȘAG as ombudsperson for a term of seven years. Nine candidates **were admitted** to the competition. After hearing the candidates, the Parliamentary Committee for Legal Matters, Appointments, and Immunities proposed the Plenum of Parliament two candidates, namely **Natalia MOLOȘAG**, lawyer and **Andrei BRIGHIDIN**, non-discrimination expert; both scoring equally as well at the hearings organized by the Committee. Socialist MPs argued that Natalia MOLOȘAG had acted as President Maia SANDU's lawyer during the 2020 presidential election campaign. Without allowing the candidates time for presentations and without genuine debates, the parliamentary majority voted Natalia MOLOȘAG, which attracted **criticism** from civil society for the untransparent way in which they organized the voting in the Plenum of Parliament.

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