

## 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.

## MOLDOVA APPLIED TO JOIN THE EU

On 24 February 2022, the Russian Federation went to war with Ukraine. In light of this military aggression, three Eastern Partnership countries – Ukraine, Moldova and Georgia – applied to join the European Union (EU). On 3 March 2022, Maia SANDU, President of the Republic of Moldova, [signed](#) the application for the accession of the Republic of Moldova to the EU. The next day, the application [was submitted to the EU](#). About seven years ago, on 27 June 2014, the Republic of Moldova and the EU signed an [Association Agreement](#), which provides the institutional framework for cooperation and a reform agenda in several important areas.

Following the submission of the application for EU membership, [several steps](#) will follow, including the completion of an accession questionnaire, based on which the European Commission draws up an opinion, which it sends to the EU Council. Subsequently, each of the 27 EU member states will decide whether or not to support candidate status. Accession negotiations begin with the agreement of all 27 states. During the negotiation period, the candidate country must implement EU legislation and standards in 35 areas that are part of the negotiation agenda.

On 11 April 2022, Moldova [received](#) the first part of the EU accession questionnaire, which is an assessment of the country in several areas such as justice and the rule of law, human rights, security, economy, etc. On 22 April 2022, just 11 days after receiving the questionnaire, the Government of Moldova completed and submitted to the EU [the first part](#) of the questionnaire, which contains answers to 369 questions. [The second part](#) of the questionnaire, which contains 33 chapters and answers to over 1,800 questions, was also submitted to the EU on 12 May.

On 5 May 2022, the European Parliament voted on a [Resolution](#) calling on the EU institutions to grant Moldova the status of a candidate country for EU membership, and continue its efforts to integrate Moldova into the EU shared market. The Parliament also called on the Commission to swiftly complete its assessment of the accession questionnaire and to provide Moldova with full assistance in this process. On 18 May 2022, President Maia SANDU [gave](#) a speech to the European Parliament on the consequences of the war in Ukraine and on Moldova's aspiration to join the EU. The next day, on 19 May

## LEGAL RESOURCES CENTRE FROM MOLDOVA



European Parliament voted on a resolution calling for Moldova to receive the status of candidate country for EU membership

2022, the EU Parliament adopted a new [Resolution](#) on the implementation of the EU-Moldova Association Agreement, in which it reiterated its support for granting Moldova the status of a candidate state for EU membership.

If the country is to be granted a candidate status, several reforms will have to be carried out to bring national legislation into line with EU rigours, which is a lengthy process. After doing so, the European Commission will assess the country's readiness to become a member and issue an opinion. The EU Parliament then decides whether or not to grant membership. The agreement of all 27 EU Member States is also required to become a member of the EU. In the case of Romania and Bulgaria, the implementation of reforms and accession negotiations took seven years. Other countries are currently in the process of accession negotiations, such as Turkey since 2005, Albania and Northern Macedonia since 2020, Montenegro since 2012 and Serbia since 2014.

According to the [most recent poll conducted on 24 May 2022 by IDIS Viitorul](#), more than half of respondents (51.8%) said they would support Moldova's EU integration in a referendum, and only a third (33.1%) would vote against it.

On 9 June 2022, the National Platform Civil Society Forum within the Eastern Partnership, which includes 96 civil society organisations, [called on](#) the European Council to grant Moldova the status of a candidate country for EU membership.

## FORMER PRESIDENT IGOR DODON INVESTIGATED FOR CORRUPTION, ILLICIT ENRICHMENT, AND TREASON

On 24 May 2022, anti-corruption prosecutors searched several properties owned by Igor DODON, the former President of the Republic of Moldova, and his relatives. After losing the 2020 presidential election, he was elected leader of the Party of Socialists of the Republic of Moldova (PSRM), which he subsequently resigned from in 2021. Dodon is suspected of passive corruption, the acceptance of political party funding by a criminal organisation, treason, and illicit enrichment. He was detained for 72 hours.

[According to the prosecutors](#), during the searches, goods, and money amounting to tens of millions of MDL were found, and in one of the searched locations, more than MDL 600,000, EUR 17,000 and USD 1,000 were found. Prosecutors also discovered a receipt proving that Igor DODON's wife, Galina DODON, had offered a [cash advance](#) of EUR 25,000 for the purchase of kitchen equipment. During the searches, Petru MERINEANU, Dodon's brother-in-law, tried to swallow a receipt. The document confirmed real estate transactions of more than EUR 700,000. Anti-corruption prosecutors also said that Igor DODON and his relatives would have benefited from holidays, through tourism

Although judges authorised the house arrest of Igor DODON, they did not forbid him from making telephone calls, receiving and mailing items or using other means of communication.

companies in the Russian Federation, worth about RUR 4,000,000.

On 26 May 2022, the judges of the Chisinau Court, Ciocana headquarters, ordered the placement of Igor DODON under house arrest for 30 days. The judge did not apply to Dodon all the communication restrictions provided by the criminal proceedings, as telephone conversations, reception and dispatch of postal items and the use of other means of communication by him or his family members with whom he resides were not limited. His brother-in-law, Petru MERINEANU, who tried to swallow the receipt, was taken to detention (in a penitentiary) for 30 days.

The decision of the Chisinau Court was **challenged** by anti-corruption prosecutors. The prosecutors requested that Igor DODON gets arrested, citing the risk of evading the prosecution, the risk of preventing the proper conduct of criminal proceedings, the risk of committing new crimes and the risk of causing public disorder. Prosecutors presented several pieces of evidence confirming that Igor DODON was planning to leave for the Russian Federation. They also claim that the house arrest and the communication restrictions established by the investigating judge do not exclude Dodon from contacting persons involved in the said criminal case.

During the hearing at the Chisinau Court of Appeal (Chisinau CA), the anti-corruption prosecutors **challenged** judge Ghenadie MOROZAN, who is related to Vladimir PLAHOTNIUC, who is himself also involved in this criminal case. Surprisingly, the withdrawal request was **rejected**. On 31 May 2022, the judges of the Chisinau CA rejected the appeal of the anti-corruption prosecutors and upheld the decision of the district court.

## THE SCP PROPOSED TO DISMISS THE PROSECUTOR GENERAL ALEXANDRU STOIANOGLO AFTER HIS PERFORMANCE WAS DEEMED UNSATISFACTORY

On 18 May 2022, the Superior Council of Prosecutors (SCP) **began** examining the **Report on the Performance Evaluation of the Suspended Prosecutor General** (Report), Alexandr STOIANOGLO, prepared by the Evaluation Board on 26 April 2022. According to the report, the Evaluation Board awarded Alexandru STOIANOGLO the final score of 2.19 points, which makes for an unsatisfactory grade. When calculating the average score, the Board decided not to consider the score given by prosecutor Ion MATUŞENCO, appointed by Stoianoglo, because the Board found that the latter tried to manipulate the final score.

At the same hearing, the SCP examined Stoianoglo's lawyer's request to suspend the examination of the Report, on the grounds that the report and the Prosecutor General's **Evaluation Regulations** had been challenged in court. After eight hours of examination and deliberation, the meeting was adjourned until 23 May 2022, and the request to suspend the examination of

The SCP approved the report of the Evaluation Board and proposed that President Maia SANDU dismisses Alexandr STOIANOGLO from the office of General Prosecutor

the Report was rejected. On 23 May 2022, the SCP [approved](#) the Report of the Evaluation Board of Stoianoglo and proposed that the President of the country, Maia SANDU, dismissed Stoianoglo from the office of Prosecutor General. At the SCP meeting, it was announced that two members of the SCP, Angela MOTUZOC and Inga FURTUNĂ, had dissenting opinions, and the Minister of Justice, Sergiu LITVINENCO had a similar opinion. The SCP decision and separate opinions have not yet been published.

The Evaluation Report analysed the activity of Prosecutor General Stoianoglo between 29 November 2019 and 5 October 2021 and found several deviations. Alexandr STOIANOGLO is blamed for the way he acted towards the prosecutors he considered uncomfortable, how certain cases of public interest were handled (i.e., the Laundromat case, the Bahamas case and the so-called Black Bag case), the direct and unmotivated interference towards the release of Veaceslav PLATON, including subsequent indirect cooperation with him. The report also mentions the failure to declare a conflict of interest in his wife's case as she was designated as the beneficiary of two companies previously controlled by Platon, as well as him appointing prosecutors with integrity issues, and tolerating corruption in the Prosecutor's office.

The evaluation procedure regarding Stoianoglo [was initiated](#) on 11 November 2021 by the SCP, one month after Stoianoglo was charged with five counts in one case (look up the details in LRCM [Newsletter no. 39](#)). On 1 June 2022, one of Stoianoglo's lawyers [informed](#) the public that the European Court of Human Rights had urgently [communicated](#) to the Government of the Republic of Moldova two requests submitted by Alexandr STOIANOGLO. The first request concerns Stoianoglo's deprivation of liberty following the initiation of criminal proceedings against him. The second request concerns his suspension from office as Prosecutor General following the initiation of the criminal case against him and the impossibility of challenging this. By 22 September 2022, the Ministry of Justice will present the Government's position on these requests.

## VERONICA DRAGALIN, CALIFORNIA PROSECUTOR, WILL BE THE NEXT CHIEF PROSECUTOR OF THE ANTICORRUPTION PROSECUTOR'S OFFICE

On 21 January 2022, the Law on the Prosecutor's Office [was amended](#) regarding the procedure for application to the position of General Prosecutor or Chief Prosecutor of the specialised prosecutor's offices. The law stipulates that people who have at least 10 years of professional experience in the field of law, accumulated both in the country and abroad, can apply for these positions. For the position of Chief Prosecutor of Specialised Prosecutor's Offices, there should be no reasonable suspicion of candidates for committing acts of corruption, related acts or corrupt acts (look up the details in the [LRCM Newsletter no. 41](#)). According to the new amendments, the pre-selection of the

Both the SCP and the special committee agreed that Veronica DRAGALIN is the best candidate in the competition

chief prosecutor of the specialised prosecutors' offices is made by a special commission composed 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 be Special Committee members. The chief prosecutor of the specialised prosecutor's office is selected by the SCP among the candidates pre-selected by the special committee.

On 4 February 2022, the SCP [initiated](#) the competition for the selection of the candidate for the position of Chief Prosecutor of the Anticorruption Prosecutor's Office (PA), [the deadline being extended](#) until 11 April 2022. Five candidates submitted their applications. On 26 April 2022, the SCP [set up](#) the Special Pre-selection Committee in the following composition: Laura ȘTEFAN, anti-corruption policy coordinator, Expert Forum, Romania; Iulian GROZA, director of the Institute of European Policies and Reforms; Kevin LANIGAN, Justice and Anti-Corruption Expert, USA; Aivars OSTAPKO, Head of the International Cooperation Directorate, Latvian Prosecutor General's Office; Mariana GORNEA, prosecutor at the General Prosecutor's Office.

On 18 May 2022, the Commission examined the following four candidates: [Veronica DRAGALIN](#), [Andrian BORDIANU](#), [Victor BRÎNZĂ](#), and [Octavian IACHIMOVSCI](#). One candidate, Oleg POTÎRNICHE, was not invited to the interview because he did not meet the minimum requirements. According to [the decision](#) of the Special Committee, Veronica DRAGALIN, who obtained a total score of 9.8 points at the pre-selection stage, was shortlisted. Octavian IACHIMOVCHI and Oleg POTÎRNICHE challenged the decision of the special committee, the appeals [being submitted](#) by the SCP for examination. On 30 May 2022, the SCP [decided](#) to set up the hearings of the candidates for 7 June 2022. The members of the SCP, Eduard VARZAR, Angela MOTUZOC and Inga FURTUNĂ, are [to formulate](#) separate opinions regarding the admissibility of the procedures at the stage of pre-selection of candidates. Following the hearing of the candidates, the SCP reached the same opinion as the special committee, [proposing](#) to the Prosecutor General that Veronica DRAGALIN should be appointed as Chief Prosecutor of the Anticorruption Prosecutor's Office. It seems that Dragalin will take over the position in July 2022.

## GOVERNMENT PROPOSES AMENDMENTS TO THE LAW TO FACILITATE THE EXAMINATION OF BANK FRAUD

[Art. 70 of the Constitution stipulates](#) that an MP cannot be detained, arrested, and searched, except in cases of flagrant offence, or sent to trial without

"After 18 hearings at the Chisinau Court of Appeal, many of which have been postponed, more than 100 people will testify in the Şor case."

the consent of Parliament. On 19 May 2022, the Parliament voted in the first reading on [the draft amendment to art. 70](#), extending charges for which Parliament's consent is not required. These are allegations of active and passive corruption, influence peddling, abuse of power, illicit enrichment, and money laundering.

On 26 May 2022, with the vote of over 60 MPs, the Parliament approved the lifting of the immunity of deputies Ilan ŞOR and Marina TAUBER, suspected of committing fraud and money laundering in particularly large proportions. Previously, the Parliament accepted nine requests to lift Ilan ŞOR's immunity (look up the details in [LRCM Newsletter no. 40](#)). According to the Prosecutor's Office, in 2012, Ilan ŞOR organised a criminal group that defrauded the banking system, being assisted in this activity by Marina TAUBER and others. They used the money from the banking system to enrich themselves, in the country and abroad. On 27 May 2022, Tauber was banned from leaving the country for 60 days.

Ilan ŞOR fled the country in June 2019, once Vladimir PLAHOTNIUC was removed from power. The former was previously sentenced to six years in prison for another episode of bank fraud. However, the judges released Şor before they examined his appeal. Since September 2021, his case has been examined at the Chisinau Court of Appeal, where [18 hearings took place](#), most of them postponed for procedural reasons. At the moment, the court is still hearing witnesses' testimony, with over 100 people expected to testify.

The prosecution informed that other episodes of the 'Bank Fraud' case had been sent to court. People are accused of fraud and money laundering by [simulating an investment contract](#) with Banca de Economii (BEM) and stealing about MDL 32,000,000 MDL. The company was to restore a BEM property but did not have the construction permit or the necessary capacity to carry out the contract. Other subjects [are accused of recruiting people](#) with financial issues, who in exchange for money, were asked to take on the leadership of companies that have taken fraudulent loans from BEM.

On 1 June 2022, at the Government meeting, [the draft law](#) was approved, which facilitates the investigation of criminal cases against evaders. The draft law makes it possible to confiscate the goods in question. The investigating judge will check and authorize the completion of the criminal investigation if the prosecutor proves that the person has obviously evaded the criminal investigation. The investigating judge will not present his/her opinion on the merits of the case but will check if the location of the accused cannot be established and if the prosecutor has done everything to look for the suspect.

The searches were carried out exactly two years after the criminal case was launched

## FORMER PRIME MINISTER PAVEL FILIP GETS SEARCHED IN CONNECTION WITH THE ATTEMPTED ALIENATION OF THE PREMISES OF THE MOLDOVAN CONSULATE IN ODESSA

On 6 May 2022, the Prosecutor's Office for Combating Organised Crime and Special Cases (PCCOCS) [conducted searches](#) in the case of attempted alienation of the state premises of the Moldovan Consulate in Odesa, Ukraine. The searches took place in several locations, including at Pavel FILIP's home, the former Prime Minister of Moldova, and at several people's homes connected to Vladimir ANDRONACHI, the former MP of the Democratic Party.

On 27 February 2019, three days after the parliamentary elections, the Government led by Pavel FILIP adopted [Government Decision no. 142](#), through which the premises of the Consulate of Moldova located in Odesa, Ukraine, was transferred from public property to private property. The Government also authorised the Ministry of Foreign Affairs and European Integration (MFAEI) to sign a 30-day contract for the exchange of the Moldova Consulate premises in Odessa with two other properties in Odessa – a building and a plot of land of about 400 m<sup>2</sup>. According to [a journalistic investigation](#), the premises of the Moldova Consulate in Odessa is located on a plot of about 4000 m<sup>2</sup>, in a very advantageous location, and the market price of the land would have been about EUR 3,000,000, i.e., about 20 times higher than the price of the building and land exchanged for.

In about 1.5 years, on 31 July 2020, the Government led by Ion CHICU approved Decision no. 577 by which it [repealed](#) the Government Decision no. 142/2019. On 23 October 2020, in the absence of the parties, the Chisinau District Court, Riscani headquarters [annulled](#) the Government Decision no. 577/2020, due to violation of the principle of security of legal relations. The text of the judgment was anonymised. The decision of the Chisinau District Court, Riscani headquarters of 23 October 2020 [was quashed](#) by the Chisinau Court of Appeal on 6 April 2021. The Chisinau Court of Appeal mentioned, among other things, that the value of the property proposed for exchange was too low – USD 90,000 according to the sale-purchase contract – compared to the price of the Consulate's building of USD 530,000 ascertained by the Working Group set up by Prime Minister Filip. The decision of the Chisinau Court of Appeal of 6 April 2021 was not contested and became irrevocable.

In 2020, the General Prosecutor's Office initiated a criminal case for abuse of power (art. 327 Criminal Code) manifested by the attempt to dispossess Moldova of the Odessa Consulate. The suspects were only searched two years after the criminal case was launched.

Two members of the SCM allegedly voted to award the highest degree of qualification to themselves, a degree that offers a salary increase

## THE WAS (NO) CONFLICT! – NIA ISSUED CONTRADICTIONARY DECISIONS CONCERNING THE MEMBERS OF THE SUPERIOR COUNCIL OF MAGISTRACY VICTOR MICU AND DOREL MUSTEAȚĂ

On 11 May 2022, the integrity inspector within the National Integrity Authority (NIA) Natalia IVANOV issued a [report statement](#) regarding the SCM member Victor MICU. Micu was accused of participating in a decision by which he granted, along with other judges, the highest degree of qualification to himself. This degree of qualification has on the one hand, an honorary character, being granted to the judge to recognize his/her professional achievements, the high level of professionalism and behaviour. In addition to the honorary part, the holders of this title, according to the [Law on the unitary pay system](#), benefit from a monthly salary increase of 400 MDL.

Micu denied committing the misconduct, arguing that he discussed this issue at the SCM organisational meeting and in general, abstained from the voting procedure regarding him, but voted for other candidates on the list. In arguing its position, the SCM secretariat submitted to the integrity inspector an extract from the minutes of the SCM meeting ([pages 8-9 of the report statement](#)) which would confirm the discussions regarding Micu's abstention from taking this decision. According to the conclusion of the integrity inspector, the explanations sent by the SCM do not correspond to the [original minutes](#) available on the official website of the SCM, nor to the [video recording](#) of the SCM meeting of 29 November 2021, which is why he disregarded them in assessing the conclusion. It is not clear whether the minutes presented were drawn up after the initiation of the audit or whether the discussion happened in the first place. The inspector found, however, that the judge had a real conflict of interest, as he was called upon to solve a situation in which he had a personal stake. Finally, the integrity inspector found a violation of the conflict-of-interest regime, noting that when voting on this decision, judge Micu had to abstain from voting and inform NIA about the conflict of interest.

Less than a month later, another integrity inspector, Ion NICOLAEV, [found](#) that the acting president of the SCM, Dorel MUSTEAȚĂ did not violate the conflicts-of-interest regime. Like judge Micu, Musteață participated in the making of the decision in question, although he was also among the candidates who obtained the highest degree of qualification. Initially, the appraisal was performed by Inspector Natalia IVANOV, but she was removed after she submitted a withdrawal request to Musteață. The latter claimed that the inspector was influenced by the former president of NIA Rodica ANTOCI to initiate the control. The new management of NIA accepted the withdrawal request ([page 1 of the report statement](#)) to avoid any doubts about the objectivity and impartiality of the integrity inspector and to increase the trust in NIA. In support of his claim, acting president Musteață presented identical arguments to those presented by Micu, including references to the discussion set out in the dubious report, presented by the SCM to NIA. However, according to integrity

inspector Nicolaev, the documented act is generally not deemed as a conflict of interest, as it does not imply the existence of a personal interest resulting from private activities. According to the [Law on the Declaration of Wealth and Personal Interests](#), the personal interest must result from activities undertaken by a private person, which may be the activity carried out by the subject of the declaration outside the working hours, as well as the entrepreneurial activity, scientific, didactic, creative activities, or sports, among others.

Both reports on the findings remain in force unless they are challenged in court.

## | IN BRIEF

On **15 April 2022**, judge Svetlana FILINCOVA was [appointed](#) by the members of the Superior Council of Magistracy (SCM) as acting Vice-President of the Supreme Court of Justice (SCJ), President of the Civil, Commercial and Administrative Dispute Panel. She will exercise her duties while judge Tamara CHIȘCĂ-DONEVA is suspended, being investigated for illicit enrichment. Judge Filincova was featured in a case regarding the fraudulent distribution of 22 civil cases to the SCJ, while she held the position of Vice-President of the SCJ. The criminal investigation, in this case, was started on 10 February 2015, after Victor MICU notified the National Anticorruption Centre. Filincova did not have any procedural status in this criminal case and did not give testimony. However, she resigned as Vice-President of the SCJ.

On **20 April 2022**, the Contravention Code was completed with a new contravention (art. 365/5), which provides for the prohibition of wearing the St. George ribbon, among other provisions. On 9 May 2022, several MPs from Chisinau, with pro-Russian sympathies, and MPs from the People's Assembly of Gagauzia Autonomy, defied the law and wore the ribbon to public demonstrations. So far, the police [imposed](#) fines on 143 citizens. Another 77 people will soon be sanctioned, and another 126 people who defied the law have not yet been identified. 17 MPs from Chisinau and another 16 MPs from the Gagauzia Autonomy were summoned to the police to be handed information about the imposed sanctions. The fines [amount](#) to MDL 590 000, of which MDL 112,000 has already been paid.

On **29 April 2022**, the National Integrity Authority (NIA) issued [a statement report](#) in the name of [Oleg BACIU](#), Deputy Chief Prosecutor of the Prosecutor's Office for Combating Organised Crime and Special Cases. According to NIA, between 2017 and 2018 he acquired an unjustified fortune for MDL 412,749. NIA will request the court to authorise the confiscation of this property.

On **3 May 2022**, anti-corruption prosecutors [undertook](#) 60 searches at the Public Services Agency (PSA). The searches were carried out in a criminal case based on the abusive purchasing of templates for official documents, like passports. The suspected persons have allegedly produced damages to

the PSA of about EUR 26,000,000. The beneficiary of the scheme would be the criminal group founded and led by the former MP Vladimir PLAHOTNIUC. Subsequently, the scheme was taken over and led by the former democrat MP Vladimir ANDRONACHI and by Alexandru VÎLCU, a businessman. According to prosecutors, 12 people were detained and placed under house arrest. Among those detained is the former head of PSA, Serghei RAILEAN. Another 11 people are former and current employees of PSA. The 13<sup>th</sup> suspect was released under judicial control. Vladimir PLAHOTNIUC and Vladimir ANDRONACHI fled the country. The tender initiated in April 2021 by the former head of the Agency Vladislav ZARA, investigated in the same case, was thus cancelled. On 13 May 2022, PSA completed a new tender and designated the winning company to supply the state forms. The PSA management anticipates the prices for passport renewal [to go down](#) by about 20%.

On **3 May 2022**, the General Prosecutor's Office [announced](#) the 'reduction' of positions within the General Prosecutor's Office. Thus, out of the 90 existing prosecutor positions within the General Prosecutor's Office, 21 positions were relocated to other prosecution offices. These include 12 department prosecutors, eight heads of departments, as well as one position of Deputy Prosecutor General. The vacant positions were redistributed to the Anticorruption Prosecutor's Office (AP) – nine positions, the Prosecutor's Office for Combating Organised Crime and Special Cases (PCCOCS) – five positions, and the Department representing the General Prosecutor's Office in court – seven positions. According to the LRCM analysis '[Justice in figures](#)' conducted in 2021 based on CEPEJ data, the Republic of Moldova is one of the countries with the highest number of prosecutors per capita.

On **10 May 2022**, the Superior Council of Magistracy [authorised](#) the start of the criminal investigation regarding the former President of the Chisinau District Court, Radu URCANU. He is suspected of abuse of power after, allegedly, granting discretionary allowances to employees of the Chisinau Court who contracted COVID-19 infection during the exercise of their duties, contrary to the provisions of the SCM. In [a statement](#) from the Chisinau District Court, the judge denied the accusations reported in a [journalistic investigation](#), which allegedly served as the basis for the accusation. Prosecution is pending.

On **20 May 2022**, the Anticorruption Prosecutor's Office [forwarded the case](#) against the judge of the Chisinau District Court [Olesea URCAN](#) to the court. She is accused, according to art. 307 of the Criminal Code, of issuing on 6 November 2020, contrary to legal provisions, a decision suspending the execution of decisions of the National Commission for Financial Market (NCFM) [on the establishment of the special administration](#) of the Moldasig company. Because of this conclusion, the administrator of the company appointed by NCFM was removed from management, while one audit company was appointed as executive director, and another company was appointed to exercise the duties of the Company's Board, as a statutory body. The [said audit company](#) also represents the interests of several companies affiliated with the

controversial businessman Veaceslav PLATON. Before special administration was established, the Moldasig company was controlled by Veaceslav PLATON.

On **24 May 2022**, at the request of the acting General Prosecutor, the Superior Council of Magistracy (SCM) [suspended](#) from office judge Oleg MELNICIUC from the Chisinau District Court, Rascani headquarters, for illicit enrichment until the decision becomes final (art. 330). / 2 paragraph (2) Criminal Code). Judge Melniciuc [was sentenced](#) on 3 September 2021 by the Anenii Noi District Court to seven years in prison in a closed penitentiary for illicit enrichment and false statements, with deprivation of the right to hold certain positions or to exercise certain activity in the field of justice for 15 years. Oleg MELNICIUC is the first judge convicted of illicit enrichment. The criminal case on Melniciuc's name was started in the summer of 2017. According to art. 24 para. (1) of the [Law on the status of a judge](#), a judge may be suspended from office by the SCM either upon request, or ex officio, if criminal proceedings are initiated against him/her. Even though the case against the said judge was initiated in 2017, he was suspended from office exactly four years later, including nine months after he was convicted by the District Court. Throughout this period, Melniciuc continued to serve as a judge.

On **27 May 2022**, the Superior Council of Magistracy (SCM) [rejected](#) by a vote of seven 'nays' and one 'yay' with regards to the acting Prosecutor General's notification to initiate another criminal investigation against Judge Oleg MELNICIUC, who is being suspected of sexual harassment. [According to the media](#), a student of the Alexei Mateevici College filed a complaint with the General Prosecutor's Office in April 2022, in which she accused the judge of sexual harassment. According to the principal of the College, the third-year student was assigned to undertake an internship at the Chisinau District Court, Rîșcani headquarters, where judge Melniciuc was her supervisor. The student complained to the principal that the judge had made sexual advances towards her and had not signed her internship report. The principal of the College notified the SCM. Judge Melniciuc denied the allegations and said it was revenge for a decision he made as a judge. According to art. 49 of the Convention on preventing and combating violence against women and domestic violence, known as the [Istanbul Convention](#), which entered into force in Moldova on 1 May 2022, all states must take measures to ensure the effective investigation and prosecution of crimes of violence against women. [According to experts](#) (starting with min. 1.02.00), the SCM's refusal to investigate the sexual harassment complaint is denying the right to justice for the alleged victim, and the SCM should be open to investigating allegations of sexual violence and have zero tolerance for violence against women in the judiciary.

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