

NEWSLETTER

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In Brief

AMNESTY LAW SCANDAL: WHO IS ULTIMATELY RESPONSIBLE FOR THE RELEASE OF PREVIOUSLY CONVICTED CRIMINAL GROUP LEADERS?

In April, public discourse was heavily influenced by intense debates surrounding the Amnesty Law, the successive amendments made to it, and their impact on the justice process and public perception.

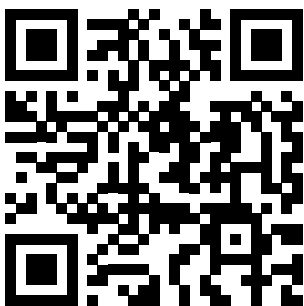
In [December 2021](#), the Parliament of the Republic of Moldova adopted an [Amnesty Law](#) on the occasion of the 30th anniversary of independence. The law was supported by the ruling majority (PAS) and received votes from part of the opposition. [The explanatory note](#) to the draft indicated that over 1,700 prisoners were expected to benefit from the amnesty, with 67 eligible for immediate release and the rest eligible for sentence reductions or early conditional release. Particularly serious crimes (such as murder, corruption, etc.) were initially excluded from full amnesty. However, as some individuals convicted of such crimes had already served long prison terms, the law allowed for partial sentence reductions in those cases, subject to certain exceptions. For example, life sentences could be commuted to 30 years of imprisonment, initially on the condition that a certified judicial psychologist confirmed the absence of a risk of recidivism.

In 2022, the then-chair of the Parliamentary Legal Committee, Olesia Stamate, [introduced three amendments](#) to the Amnesty Law, presented as “technical” adjustments to align it with the Criminal Code. [The first](#) (in March) removed redundant provisions regarding minors and broadened the scope of the amnesty. [The second](#) (in July) eliminated the phrase “subject to the absence of risk of recidivism” from the provision commuting life sentences to 30 years. [The third](#) (in November), introduced under Law No. 316/2022, explicitly stated that “the sentence shall be commuted to 30 years of imprisonment for those serving life sentences,” thereby opening the door for the application of Article 91(4) of the Criminal Code, which allows conditional release after two-thirds of the sentence has been served. As a result, life-sentenced prisoners became eligible for early release – a consequence that went largely unnoticed until March 2025, when the application of these provisions triggered a major public scandal.

Ultimately, the 2022 amendments enabled the release of several



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Life-sentenced prisoners became eligible for early release — a change that went almost unnoticed until March 2025.

convicted individuals. A high-profile example is the [case of Alexander “Nenu” Sinigur](#), viewed as the leader of a violent criminal group.. Sentenced to life in 2006, Sinigur’s term was commuted to 30 years under the amended amnesty law, then he was released early when judges ruled, he had effectively served two-thirds of the new term. The judge cited the new provisions of the Amnesty Law to convert Sinigur’s sentence to 30 years, and then applied [Article 91 of the Criminal Code](#), which grants early release after two-thirds of a term is served. According to the authorities, the legal basis for these releases stemmed from the successively amended Amnesty Law.

Following the scandal, MP Stamate was expelled from PAS. The [announcement](#) came from Parliament Speaker Igor Grosu on April 4, against the backdrop of controversies surrounding amendments to the Amnesty Law. At the same time, Prime Minister Dorin Recean demanded—and received—the [resignation of Anatolie Falcă](#), head of the National Administration of Penitentiaries (ANP). The government asserted that ANP officials failed to mitigate risks and allowed abuses of the amnesty provisions.

On April 4, Parliament fast-tracked a new interpretative law aimed at preventing the “double benefit” of having a sentence first commuted and then receiving early release.

However, the core dilemma is not the concept of amnesty itself, but rather whether it was applied in good faith. Historically, amnesty or pardon legislation has been used in multiple jurisdictions to address excessive sentences or correct systemic imbalances. From a human-rights perspective, lifers generally have a theoretical chance at release or sentence review after many years in prison. The European Court of Human Rights (ECtHR) [has underscored](#) that for life imprisonment to be lawful, there must be at least the possibility of eventual parole or review (*Vinter and Others v. the United Kingdom* (2013) and *Murray v. the Netherlands* (2016)), failing to provide any prospect of release can amount to inhuman or degrading treatment).

On April 7, 2025, the Prosecutor General [submitted](#) a request to the Constitutional Court, seeking a constitutional review of two amendments made in 2022 to the Amnesty Law — namely, the removal of the “risk of recidivism” and the provision explicitly allowing for the commutation of life sentences. On April 8, 2025, to prevent potential harm and imminent negative consequences, the Constitutional Court [suspended](#) the phrases “or their sentence is commuted” from Article 7(1), and “to 30 years of imprisonment if sentenced to life” from Article 7(1)(d), until a final decision on the merits of the case is issued.

In April 2025, the Superior Council of Magistracy (SCM) formally [tasked the Judicial Inspection Service](#) with reviewing all court rulings related to the application of the amnesty to life-sentenced prisoners, including the reasoning for approving or rejecting applications for commutation and release. According to the SCM, of the 77 requests submitted to Penitentiary No. 17 in Rezina, only 15 were approved. Several cases — including those of high-profile convicts such as Radulov, Spătari, Glec, and Sinigur — reveal a fragmented jurisprudence, with contradictory decisions between first instance and appellate courts.

SELECTION OF PROSECUTORS BY A POLITICAL AUTHORITY RULED UNCONSTITUTIONAL!

On 14 April 2025, the Constitutional Court (CC) [declared unconstitutional](#) the legal provisions governing the selection of prosecutors in the Autonomous Territorial Unit of Gagauzia (UTA Gagauzia). The judgment concerned Article 21 of the [Law on the special legal status of Gagauzia](#), as well as Article 25(3) and Article 26 of the [Law on the public prosecution service](#).

The Court's decision followed [an application](#) filed by Prosecutor General Ion Munteanu, who challenged the constitutionality of the procedure whereby the People's Assembly of Gagauzia—a political body—organises the competition for the position of Chief Prosecutor of UTA Gagauzia and gives its consent for the appointment of other local prosecutors. The Prosecutor General argued that political involvement undermines the constitutional responsibilities of the Superior Council of Prosecutors (SCP) and the Prosecutor General in the selection and appointment of prosecutors. He also pointed out that such a practice is unfair towards other local authorities in the country, which do not have comparable powers.

The Court sought opinions from several institutions. Parliament defended the current framework, claiming that UTA Gagauzia enjoys special legal status and that the involvement of the People's Assembly in the selection process falls within the limits of its autonomy. According to Parliament, the local authority does not have a decision-making role, as the SCP can reject candidates who do not meet legal criteria or where procedural violations are identified.

The Government, however, argued that political involvement in the appointment process violates the principles of a unitary and indivisible state. In its view, the People's Assembly lacks the competence to assess the professional qualifications of prosecutorial candidates, increasing the risk of politically motivated appointments. This, in turn, reduces the SCP's role to a mere formality, undermining its constitutional mandate to appoint the most competent prosecutors.

The SCP also expressed concern, stating that the organisation of the competition by the People's Assembly violates the principle of separation of powers and threatens the independence of the prosecution service. It warned that political interference promotes loyalty over integrity and competence. The SCP noted that since 2016, the two competitions organised by the People's Assembly for the Chief Prosecutor position have failed, resulting in a prolonged vacancy that has negatively affected the effectiveness of the local prosecution office.

The Constitutional Court ruled that the involvement of the People's Assembly in the selection of prosecutors infringes on the institutional autonomy of the Prosecution Service, a fundamental principle guaranteed by the Constitution. The Prosecution Service is an autonomous body and part of the judiciary, and the independence of prosecutors from political influence must be strictly safeguarded. The Constitution clearly stipulates that prosecutors are appointed by the Prosecutor General, based on proposals from the SCP, which serves as a guarantor of their independence and impartiality. While Gagauzia enjoys a special and limited autonomy, applicable only

The involvement of the People's Assembly of Gagauzia in the work of the Prosecution Service, through the selection of prosecutors, compromises the system's autonomy and violates the Constitution.

in local political, economic, and cultural affairs, this autonomy cannot interfere with national institutions protected by the Constitution. Any overreach violates the principle of the unitary state.

Representatives of the People's Assembly criticised the decision, claiming it violates the principle of decentralisation and could be seen as an attempt to centralise power.

EXTERNAL EVALUATION OF JUDGES: PROGRESS, CHALLENGES AND NEXT PHASE

Throughout April 2025, the Judicial Vetting Commission (the Commission) completed the external evaluation of six judges from the Centru Court of Appeal. Of those evaluated, [Olga Cojocaru](#) and [Ana Panov](#) passed the evaluation. [Marina Anton](#), [Dorin Dulghieru](#), [Silvia Cecan](#) and [Mihail Diaconu](#) did not meet the ethical and financial integrity criteria and were therefore unsuccessful. To date, out of the 18 judges from the Centru Court of Appeal subject to evaluation, 9 have been recommended for confirmation, 6 have failed the evaluation, and 3 are still undergoing assessment.

Also in April, the Commission was notified of the first case referred for re-evaluation by the Superior Council of Magistracy (SCM)—that of Judge [Angela Braga](#), who received a positive evaluation on 13 March 2025 ([see more in LRCM's Newsletter No. 78](#)). The SCM's decision was prompted by the fact that Judge Braga is under criminal investigation for alleged acts of corruption and influence peddling. The Commission will initiate re-evaluation proceedings once the SCM's decision becomes final.

Of the 18 sitting judges of the Central Court of Appeal, subject to the external evaluation, 9 received promotion recommendations, 6 did not meet the integrity criteria, and 3 remain under assessment. The next phase will evaluate court presidents, vice-presidents, and those who have held acting positions in these roles for a cumulative period of at least one year within the past five years.

In April 2025, the Commission also clarified the new rules governing the publication of evaluation reports, pursuant to the Constitutional Court's ruling of 16 January 2025. In this ruling, the Court reviewed the constitutionality of several provisions from Law 65/2023 and Law 252/2023, which regulate the external evaluation process ([details in LRCM's Newsletter No. 77](#)). Under the new rules, evaluation reports will be published on the Commission's website within three days after the expiration of the appeal period or, in cases where an appeal is filed, after a final decision is issued by the Supreme Court of Justice. (SCJ). Publication will be carried out with due respect for privacy protection measures. Accordingly, the Commission published its first evaluation reports under the new rules, concerning judges [Victoria Sîrbu](#) and [Marcel Jugănari](#) of the Centru Court of Appeal ([see hearing details in LRCM's Newsletter No. 78](#)). At its public session on 8 April 2025, the SCM reviewed the reports and confirmed the ethical and financial integrity of both judges.

The Commission [announced](#) that, starting from 2 May 2025, it will launch the evaluation of the final category of subjects: presidents and vice-presidents of courts, as well as any individuals who have held acting positions in these roles for a cumulative period of at least one year within the past five years. In this context, [24 judges](#) were officially notified and provided with the necessary documentation to initiate the evaluation process. An additional three judges from this category were previously evaluated in their capacity as appellate judges.

The evaluation will include financial integrity checks covering the past 12 years and ethical integrity checks covering the last 5 years. Judges who have previously passed pre-vetting or who choose to resign within 20 days of receiving the notification are exempt from the process.

THE PROSECUTOR EVALUATION COMMISSION ANNUAL ACTIVITY REPORT: ACHIEVEMENTS AND CHALLENGES ENCOUNTERED

On 31 March 2025, the Prosecutor Evaluation Commission (the Commission) submitted its [annual activity report](#) to Parliament for the period from 1 April 2024 to 31 March 2025. The report reflects that during this period, the Commission finalized the pre-vetting procedure for candidates to the self-administration bodies of the prosecution service and initiated the evaluation of prosecutors within the Anticorruption Prosecutor's Office (APO). The SCP submitted to the Commission a total of 32 candidates for evaluation: 22 for membership in the Selection and Evaluation Board and 11 for the Discipline and Ethics Board, with one candidate applying for both. Fifteen of the candidates passed the evaluation, resulting in an overall pass rate of 47%. Seventeen candidates did not pass, representing 53% of the total. A failure to pass the evaluation results in the candidate's exclusion from the competition.

The most common grounds for failure included: the non-submission of the required five-year declaration and ethics questionnaire; violations of the legal regime for declaring assets and personal interests; reaches of the Prosecutor's Code of Ethics or the European Convention on Human Rights; doubts concerning discrepancies between declared income and expenses; doubts regarding the authenticity of declared purchase prices for various assets. Of the 17 candidates who failed the evaluation, 11 lodged appeals with the Supreme Court of Justice (SCJ). Their cases are currently pending.

During the reporting period, the Commission initiated the evaluation of 67 prosecutors from the Anticorruption Prosecutor's Office, presented by the SCP. Of the 67 prosecutors designated for evaluation, the vast majority submitted the required documentation within the prescribed timeframe, apart from two individuals. Subsequently, ten prosecutors resigned within the legally permitted 20-day period following notification and, as such, are no longer subject to evaluation. Of the remaining 55 prosecutors, two had already been evaluated under Law No. 26/2022 and were therefore excluded from the process. As of now, 52 prosecutors from the Anticorruption Prosecutor's Office (APO) remain under evaluation, including Deputy Prosecutor General Sergiu Russu.

The Commission notes in its report several operational difficulties, including a lack of specialized personnel within the Secretariat, unfilled vacancies, and the termination of financial support previously provided by the United States Government. As a result, all Secretariat staff—except for three individuals—were dismissed, and all contracts and support arrangements for international members were cancelled. This situation significantly impacted on the Commission's operational capacity, which functioned effectively for only 9 of the 12 months covered by the report.

The Commission's work last year focused on finalizing the pre-vetting procedure for candidates to the self-administration bodies of the prosecution service, launching the evaluation of anticorruption prosecutors, and was marked by institutional and logistical challenges that affected the activity.

Draft laws on PACCO, electoral corruption, and public events – under CRJM's scrutiny. What are the key recommendations?

LRCM PROPOSALS FOR STRENGTHENING THE LEGAL FRAMEWORK

In April, LRCM developed three legal opinions on several key legislative proposals.

The [first opinion](#) addressed the [draft law](#) on the establishment of the Prosecutor's Office for Combating Corruption and Organized Crime (PACCO). LRCM noted that the initiative is not aligned with current national strategies and could undermine institutional stability and Moldova's EU accession negotiations. The draft is not supported by a clear needs assessment or evidence of its effectiveness. LRCM warned that transferring specialized prosecutors to territorial prosecution offices may amount to a disguised demotion, potentially leading to resignations and worsening the existing human resource crisis. Furthermore, uncertainty surrounding the recruitment of prosecutors to the new structure and the impact of the ongoing vetting process could hamper the conduct of investigations. LRCM recommended avoiding any form of demotion and proposed a clear legal framework for transferring specialized prosecutors, allowing them to retain their current case files and thereby ensure continuity in investigations. The organization also emphasized the importance of focusing reform efforts on the vetting procedure to remove compromised prosecutors from the system.

The [second opinion](#) concerned the proposed [amendments](#) on countering extremist activity, introduced in the context of the [draft law](#) addressing electoral corruption. LRCM recommended clarifying the definition of "extremist activity" so that it could apply not only to organizations, but also to individuals. It was further recommended that informal groups of persons be held accountable for extremist actions. LRCM provided suggestions regarding the suspension of an organization's activity due to extremism, proposing that such a measure should apply not only when the actions are attributable to the organization as a whole or to a specific subdivision, but also when committed by certain individual members. It also advised that financial settlements by suspended organizations on the grounds of extremism should only be permitted pursuant to a court order.

The [third opinion](#) referred to the [draft law](#) on the organization and conduct of public events. LRCM proposed the inclusion of core principles aimed at ensuring a clear and equal application of the law. It recommended clarification of the grounds for banning a public event and the adoption of fair rules for allocating public space in case of overlapping events. Another proposal aimed to limit body and bag checks based on a risk assessment. LRCM further suggested that public events be classified according to size and risk level. It also advised that obligations imposed on organizers should be proportionate to the scale and nature of the event.

I IN BRIEF

On 7 April 2025, LRCM, Amnesty International Moldova, and other civil society organisations issued a [public statement](#) calling for the declassification of all case files related to the events of 7 April 2009 and for the effective criminal

prosecution of all those responsible, regardless of their official position. On 7 April 2009, thousands of young Moldovans took to the streets in Chişinău in what later became known as the “[Twitter Revolution](#).” The initially peaceful protests escalated into violence, triggering a brutal crackdown by the authorities. Moldovan police detained nearly 700 people and at least 300 protesters were beaten or tortured in custody. Several young people lost their lives in the aftermath, marked by chaos and widespread [abuse documented](#) by human rights organisations. While Moldova’s Prosecutor General opened dozens of cases, very few perpetrators were ever punished. Years later, only a handful of officials saw convictions – and even those were fleeting.

On 8 April 2025, the Superior Council of Magistracy (SCM) [approved](#) a Framework Regulation on access to court buildings. The document sets out measures aimed at maintaining public order and ensuring the safety of litigants, judges, and court staff. It establishes a security and access control regime for court premises and includes specific provisions regulating media access in cases of public interest. The Independent Journalism Center (IJC) and other media organisations have publicly [criticised](#) the new rules, calling them unjustified and excessive. According to these organisations, the regulation imposes unnecessary bureaucratic obstacles for journalists wishing to attend public hearings, including the requirement to submit a request at least 24 hours in advance and to present accreditation documents. Moreover, access to court proceedings outside public hearings would be subject to prior approval from court leadership. Although the regulation has not yet been published in the Official Gazette and has therefore not entered into force, some courts have already [begun applying](#) its provisions, reportedly denying journalists access to public hearings. Media organisations argue that the regulation undermines transparency in the judiciary and risks limiting the public’s right to information on matters of public interest.

On 8 April 2025, the Supreme Court of Justice (SCJ) unanimously [rejected](#) the appeal filed by Prosecutor Ion Te cu against the [decision](#) of the Superior Council of Magistracy (SCM), which had endorsed the [Vetting Commission’s report](#) of 14 May 2024, confirming that he had failed the external evaluation for the position of judge at the SCJ. According to the report, Prosecutor Te cu was unable to justify significant discrepancies between his family’s income and expenditures for the years 2021 and 2022, resulting in a negative balance of over MDL 260,000 in 2021 and more than MDL 54,000 in 2022. Previously, he had also [failed the vetting process](#) when applying for the position of member of the Disciplinary and Ethics Board under the Superior Council of Prosecutors (SCP). In his appeal, the prosecutor [argued against dismissal](#), citing legislative ambiguities and procedural flaws. However, the SCP reiterated that it is bound by the law and does not reassess the findings of the Vetting Commission or the SCJ. On 17 April 2025, the SCP forwarded the necessary materials to the Prosecutor General to initiate the dismissal procedure. This includes the removal of entitlement to a severance allowance and special pension.

On 9 April 2025, the Supreme Court of Justice (SCJ) [dismissed](#) a request filed by Ilan Şor’s lawyer to transfer the case-file concerning [the challenge to the decision](#)

issued by the National Integrity Authority (NIA), which had ordered the confiscation of unjustified assets belonging to the former MP, amounting to MDL 11 million. The defence argued that all judges of the court lacked impartiality, citing the SCJ's previous unfavourable judgements against Şor and other members of political parties aligned with him. However, the SCJ dismissed these arguments, holding that they were unsubstantiated allegations and failed to indicate any concrete circumstances capable of raising serious doubts about the judges' impartiality.

On 10 April 2025, Parliament [adopted](#) the Law on the Constitutional Court (CC) in its final reading, with the [votes of 55 MPs](#). The law was drafted in line with the [recommendations of the Venice Commission](#) and is set to enter [into force](#) on 17 July 2025. The new law introduces provisions aimed at ensuring the efficient and independent functioning of the Court, in accordance with the principles of the rule of law and with European and international standards. Among the key innovations are the introduction of a priori constitutional review of international treaties and the strengthening of the accountability mechanism for CC judges, including sanctions such as warning, reprimand, and removal from office by a two-thirds vote of the judges. The law also revises the content of the judicial oath, establishes an obligation to renounce membership in political parties, and introduces clear criteria for the admissibility test of applications.

On 11 April 2025, a total of 274 judges participated in the [General Assembly](#). The session's agenda included electing a new SCM member from the appellate courts, reviewing the SCM's 2024 [activity report](#), and amending Assembly regulations. [Natalia Bondarenco](#), a judge at the South Court of Appeal, secured 155 votes and will fill the last remaining vacancy on the SCM. With this election, the SCM now is in full compponence – comprising six judges—four district, one appellate, and one supreme court judge—as well as six civil society representatives, including two university professors. The mandate of SCM members is six years.

On 17 April 2025, Parliament [adopted](#) the Law on the accession of the Republic of Moldova to the Convention on the taking of evidence abroad in civil or commercial matters, done at The Hague on 18 March 1970 in its final reading, with the [votes of 54 MPs](#). Currently, 67 states are parties to this Convention. The Convention aims to facilitate international judicial cooperation through clear procedures for obtaining evidence in cross-border civil and commercial disputes. Following accession, the Republic of Moldova will be able to request evidence from abroad via letters rogatory or through diplomatic or consular agents. Accession entails compliance with obligations related to cooperation, transmission and execution of letters rogatory, as well as adherence to rules concerning privileges, immunities, and established timeframes.

On 17 April 2025, Parliament adopted a [decision](#) setting the date of the parliamentary elections for 28 September 2025. According to the [legislation](#), Parliament is elected for a four-year term through universal, equal, direct, secret, and freely expressed suffrage. Parliamentary elections must take place within a maximum of three months following the expiration of the mandate or the dissolution of the previous Parliament. The election date is set by a decision of Parliament at least 70 days prior to the election day.

On 30 April 2025, the Parliament **adopted** in the first reading the draft law regarding judicial expertise and the status of judicial experts, with the vote of **55 MPs**. The draft aims to increase the number of judicial experts and reduce the duration of expert assessments. Thus, it proposes the establishment of expert qualification commissions within each public expertise institution, which will also include a representative from the Ministry of Justice. Candidates will be able to choose the institution where they submit their application and will pay a fee of MDL 1,000. The institutions will organize at least two competition sessions annually. Deadlines for expertise will be adapted to the complexity of the cases. The law is to be voted on in the second reading and will come into force one month after its publication in the Official Gazette.

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