

NEWSLETTER

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IN BRIEF

HOW DID THE ECtHR BALANCE A JOURNALIST'S FREEDOM OF EXPRESSION WITH A JUDGE'S RIGHT TO REPUTATION?

On 22 May 2025, the European Court of Human Rights (ECtHR) delivered [its judgment](#) in the case of *Iurie Iordan v. the Republic of Moldova*, holding that the national authorities did not violate the applicant's right to respect for private life under Article 8 of the European Convention on Human Rights (ECHR), by refusing to impose a contraventional sanction on a journalist for publishing a controversial video. The video, published in 2013, showed a judge receiving an envelope from two individuals in a public setting, creating the appearance of a possible act of corruption. The judge declined to comment on the incident, and the court where he served issued a general press statement without providing further clarification. The footage went viral and sparked significant public debate. The judge subsequently filed a complaint for defamation.

After the video's dissemination, the woman appearing in the footage stated that she was the judge's sister-in-law and that the envelope contained a receipt for a land tax payment, which had already been reimbursed. A summary of this explanation was later appended to the journalist's post. The first-instance court imposed a contraventional sanction on the journalist for spreading defamatory information, but the higher court overturned the sanction, finding that the journalist had not made a conclusive accusation but had raised legitimate questions on a matter of public interest, without intent to defame.

The judge argued before the ECtHR that his reputation had been seriously damaged and that the domestic courts had failed to provide adequate protection. He also claimed that the journalist had continued to make defamatory remarks even after the context of the footage had been explained.

The ECtHR found, among other things, that the domestic courts had applied the appropriate standard of proof, which requires evidence of a deliberate intent to discredit. Moreover, the journalist's statements were framed as suppositions rather than definitive accusations, and, in the absence of clarifications from the judge, they fell within the scope of freedom of expression. The Court further noted that Article 8 of the Convention does not oblige States to impose criminal or administrative sanctions for every harm caused to a person's reputation. Ultimately, the Court found no arbitrary or flawed application of national law.



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JUDICIAL VETTING PROGRESS: CENTRAL COURT OF APPEAL EVALUATIONS AND START OF VETTING FOR COURT PRESIDENTS

In May 2025, the Judicial Evaluation Commission (the Commission) completed the external evaluation process for two judges of the Central Court of Appeal, [Grigore Dașchevici](#) and [Ruxanda Pulbere](#) (details on the hearings are available in [LRCM's Newsletter No. 78](#)). The Commission submitted the evaluation reports to the Superior Council of Magistracy (SCM), recommending that both judges be deemed as having failed the evaluation, on grounds of failing to meet integrity criteria. In the case of Ruxanda Pulbere, one of the Commission members issued a separate opinion.

Thus, the external evaluation of the Central Court of Appeal is nearing completion. According to the Commission's general data, out of the 18 sitting judges subject to vetting, 9 judges received reports recommending promotion, 8 judges received reports recommending failure of the evaluation, and one report is underway. The SCM returned two evaluation reports concerning judges of this court for re-evaluation. The judges concerned have challenged the SCM's reasoned decisions, and the appeals are currently pending. Following final judgments by the Supreme Court of Justice (SCJ), the Commission will initiate the appropriate legal actions.

At the same time, following the expiration of the legal deadline for submitting the initial documents as part of the external evaluation of court presidents, vice presidents, and acting officials who held these positions for at least one year within the past five years, [only 14 out of 24 notified court leaders](#) submitted the required documentation within the legal timeframe and remained under evaluation.

Additionally, on 30 May 2025, the Commission [announced](#) that it had not identified any integrity concerns during the evaluation of 16 sitting judges and candidates for positions at the Courts of Appeal and the SCJ. As a result, it was decided that public hearings would be held only if the subjects concerned would express their intention to participate. Participation in the hearings was optional, with each judge free to decide whether or not to present their views. The hearings [began](#) in early June.

Also in May, the Ministry of Justice [submitted](#) two civil society nominations to the Commission for integrity assessment in connection with appointments to the Disciplinary Board of Judges within the SCM. The candidates are Dorian Pînzaru and Natalia Paustovscaia. The SCM also referred [two additional candidates](#) to the Commission for external evaluation in the context of the ongoing competition for vacant judge positions at the SCJ: Judge Sergiu Stratan from the Chișinău Court and lawyer Valeriu Pleșca. However, on 2 June 2025, Valeriu Pleșca [informed](#) both the Commission and the SCM of his decision to withdraw from the competition. In accordance with the applicable [legal provisions](#), his withdrawal resulted in the termination of the external evaluation process, as he no longer holds the status of a candidate and, therefore, is no longer subject to evaluation. The SCM Plenary [accepted](#) his withdrawal during its session of 11 June 2025.

Of the 18 judges of the Central Court of Appeal subject to external evaluation, 9 were proposed for promotion, 8 for failure of the evaluation, and one report is underway. Two of the evaluation reports were returned to the Commission by the SCM for re-evaluation following appeals against the SCM's reasoned decisions by the judges concerned.

In May, the Commission [also decided](#) to reconstitute its Evaluation Panels responsible for vetting certain categories of judges under Law No. 252/2023, with the aim of ensuring consistency in the assessment of facts throughout the evaluation process. Each panel is composed of three members in a mixed national-international format. Both panels will retain their composition until all evaluation cases already assigned to them— including those referred for re-evaluation— are completed. Thus, Panel A will consist of Andrei Bivol (also acting as Commission's Vice Chairperson and head of the panel), Lavly Perling, and Williëm Browerr. Panel B will include Scott Bales (Chair of the Commission and head of the panel), Iurie Gațcan, and Lilian Enciu. Case allocation to the reconstituted panels will follow the same random allocation procedure used previously.

HOW MUCH IS A JUDICIAL ERROR WORTH? LRCM IDENTIFIES THE GAPS AND LIMITATIONS OF MOLDOVA'S NATIONAL COMPENSATION MECHANISM

In 2024, the Ministry of Justice (MJ) launched a [legislative initiative](#) aimed at reforming the legal framework governing compensation for damage caused by unlawful actions of criminal investigation bodies, the prosecution service, and the judiciary. The Ministry described [the current law](#) as “conceptually outdated,” with vague provisions that are misaligned with the case law of the European Court of Human Rights (ECtHR). To support the improvement of the new draft law, the LRCM conducted a [comprehensive analysis](#) of judicial practice, based on 263 final judgments issued by the Supreme Court of Justice (SCJ) between 2020 and 2024.

The study covers 78% of the admissible cases reported by the SCJ and highlights the main types of claims, claimant profiles, and shortcomings in the application of the law. The data shows that nearly 85% of actions were based on two legal grounds: the termination of criminal proceedings and final acquittals. While courts of first instance admitted approximately 74% of claims, the success rate significantly dropped at the appeal stage—to around 40%. At the cassation stage, the SCJ admitted only one out of seven appeals.

Most claimants under Law No. 1545 had previously been involved in criminal cases concerning property offences, although the study also includes cases related to murder and money laundering. In the area of misdemeanours, the majority of claims concerned the annulment of sanctioning reports for traffic violations.

The discrepancies between the damages claimed and those awarded are striking. For non-pecuniary damage, claimants sought over MDL 112 million but were awarded only 9% of that amount. For pecuniary damage, the success rate was even lower—just 1%: out of MDL 294 million claimed, courts awarded only MDL 4.2 million. The average compensation awarded for moral damages was MDL 37,452, while for pecuniary damages it was just MDL 16,255 per case. This discrepancy

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.

The major discrepancies between the damages claimed and those awarded, along with the lack of clear evaluation criteria, reduce the remedy for harm to a formal exercise – often with symbolic or no reparatory effect at all.

reflects a conservative approach by the courts and a lack of clear criteria for assessing damages.

Litigation costs were partially compensated in approximately half of the cases. With a 49% success rate, the average amount awarded (MDL 3,685) was significantly lower than the average amount claimed (MDL 7,532). This reduction directly affects claimants' ability to obtain effective redress, particularly in cases where damage compensation was modest or non-existent.

LRCM stresses the need to amend the Law No. 1545/1998 to enhance the effectiveness of the remedy for harm caused by judicial errors or unjustified procedural measures. Key recommendations include: clearly defining "unlawful acts" that trigger state liability; standardizing the form of official apologies; and introducing an extrajudicial procedure for resolving compensation claims. LRCM also proposes the creation of an objective mechanism for calculating compensation, based on transparent criteria (such as duration of detention, psychological and social impact), as well as issuing practice guidelines to ensure consistent damage assessment.

Moreover, LRCM draws attention to the lack of consistency in judicial practice, particularly in the assessment of moral damages, where awards vary disproportionately in similar cases. It recommends the development of judicial guidelines, continuous training for judges, and the inclusion of specialized modules in the curriculum of the National Institute of Justice.

SCM ACTIVITY IN MAY 2025: KEY DECISIONS ON JUDICIAL CAREERS, INTEGRITY EVALUATIONS, AND LEGISLATIVE OPINIONS

In May 2025, the Superior Council of Magistracy (CSM) convened for five meetings. Among the most significant decisions adopted was the suspension from office of Judge Igor Pulbere from the Chişinău Court. He was charged with false declarations for allegedly omitting or intentionally presenting incomplete information in his asset declaration (Article 352¹(2) of the Criminal Code). Previously, on December 2, 2024, the SCM granted authorization for the initiation of criminal proceedings against him. The case was subsequently referred to the court for trial. On May 10, 2025, Judge Igor Pulbere published a video response, providing explanations regarding the criminal case in which he is involved. He claimed to be the victim of fraud.

Also in May, the SCM approved the temporary transfer of five judges to the Central and Northern Courts of Appeal. These judges were selected through a competitive interview process. Starting from 2 June 2025, Judges Mihail Proca, Valeriu Arhip, Elena Bolocan, and Nicolae Ghedrovici were transferred to the Central Court of Appeal, while Judge Mariana Sajin was transferred to the Northern Court of Appeal as of 1 June 2025.

The SCM also [examined](#) several external evaluation reports of judges. In the case of [Igor Chiroșca](#), a candidate for the Central Court of Appeal, the report [was rejected](#) due to inconsistencies in the application of evaluation criteria, particularly those related to the incompatibility regime. The promotion reports concerning judges [Angela Bostan](#) and [Olga Cojocaru](#) were likewise rejected, and the re-initiation of the evaluation procedure was ordered in their cases. The examination of the case of judge [Oxana Robu](#) involved an analysis of six judgments delivered by the European Court of Human Rights (ECtHR) in which she was directly involved. Following this analysis, the SCM approved the extension of report examination period for her, as well as for judges [Mihail Diaconu](#), [Grigore Dașchevici](#), and [Diana Ioniță](#) – in the latter's case, due to the lack of information and responses from the State Tax Service.

The SCM also decided to extend the timeframe for reviewing the reports concerning judges [Ana Panov](#) and [Silvia Cecan](#), given the considerable volume of information requiring assessment. Furthermore, three other evaluation procedures – concerning judges [Ala Malii](#), [Dorin Dulghieru](#), and [Marina Anton](#) – were postponed at their request, on medical grounds. In the case of judge Marina Anton, the evaluation was postponed three times already, with the last two requests justified by health-related issues. In this context, SCM member Aliona Miron emphasized the need to identify solutions to prevent delays in the evaluation process, proposing that the judges concerned submit written statements or be represented by lawyers, in order to avoid procedural deadlocks.

Also in May, the SCM imposed [disciplinary sanctions](#) on two judges who, on 1 August 2023, annulled 21 decisions issued by the Pre-Vetting Commission. Judges Tamara Chișca-Doneva and Mariana Ursachi received a warning, while the disciplinary proceedings concerning other aspects were discontinued.

Another [important decision](#) concerned a request submitted by Judge Domnica Manole for the restoration of her salary-related rights. The SCM partially upheld the request, authorizing the payment of over one million lei in unpaid salaries for the period from 4 July 2017 to 16 August 2019, as well as a one-time severance allowance. The decision was based on the irrevocable judgment of the Supreme Court of Justice (SCJ) of [20 December 2024](#), which annulled the dismissal decision following the [judgment of the ECtHR](#) of 18 July 2023. The SCJ also declared inadmissible the request for reinstatement, directing it instead to the competent courts.

The SCM also [organized](#) the competition for filling the vacant positions of judge at the SCJ. The interview stage [was attended](#) by lawyers Ludmila Bolocan, Ruslan Berzoi, Leonid Chirtoacă, Aliona Ciocanu, and former Prosecutor General [Ion Munteanu](#). The evaluation included four case studies in the areas of criminal law, administrative litigation, civil law, and international law, a psychological interview, and a language proficiency test in an international language. Following the evaluation, the SCM [proposed](#) to the President of the Republic of Moldova the appointment of Ion Munteanu and Leonid Chirtoacă as judges to the SCJ. On 27 May, Ion Munteanu [took the oath of office](#) as a judge of the SCJ.

Among the key decisions adopted by the SCM in May 2025: suspensions, rejections of external evaluations, sanctions, and appointments to the Supreme Court of Justice.

SCP's May overview: vacancy of the Prosecutor General's office, interim appointments, a sanctioned prosecutor, and future directions for prosecutorial training.

OVERVIEW OF THE ACTIVITY OF THE SCP IN MAY 2025

In May 2025, the Superior Council of Prosecutors (SCP) convened for five meetings – four ordinary and one extraordinary session. One of the Council's main priorities was to fill vacant positions within the system. On 5 May 2025, two acting heads were appointed in Chişinău and Floreşti: [Ştefan Ciupercă](#) was appointed as Acting Deputy Chief Prosecutor of the Rîşcani Sector Prosecution Office, and [Lilia Mîţu](#) as Acting Deputy Chief Prosecutor of the Prosecutor's Office of Soroca district, Head of the Floreşti office.

The May agenda of the SCP also included the organization and conduct of the selection competition for inspectors within the Prosecutorial Inspection. However, the procedure [was closed](#) without result due to the withdrawal of one candidate and the unjustified absence of the other. Another important item concerned the continuation of the vetting process of prosecutors. The SCP [approved](#) and submitted to the Prosecutor Vetting Commission the lists of prosecutors subject to evaluation. These include 76 prosecutors from the Prosecutor's Office for Combating Organized Crime and Special Causes and 12 senior prosecutors from the General Prosecutor's Office. Subsequently, [two additional prosecutors](#) were added to the list.

A separate matter concerned the declaration of the [vacancy of the position](#) of Prosecutor General of the Republic of Moldova and the designation of an interim Prosecutor General. Accordingly, at its extraordinary session held on 28 May 2025, the SCP selected and [proposed](#) to the President of the Republic the appointment of [Alexandru Machidon](#) as Interim Prosecutor General.

In May, the SCP decided to sanction Prosecutor [Lilia Ureche](#) with a warning for the unjustified delay of criminal prosecution, failure to comply with the instructions of the court and her hierarchical superior, as well as for issuing a dismissal order that was subsequently quashed. Four other appeals filed against decisions of the Disciplinary and Ethics Board were postponed to a later date, three were dismissed, and one was discontinued.

Throughout May, the SCP [approved the training topics](#) for the continuous professional development of prosecutors, inspectors from the Prosecutorial Inspection, and legal consultants for the 2026 training year. The proposed topics were submitted to the National Institute of Justice to be included in the professional training plan for 2026.

I IN BRIEF

As of 2 June 2025, attorney [Andrei Briceac](#) will serve as the Government Agent of the Republic of Moldova before the European Court of Human Rights (ECtHR), pursuant to the decision adopted by the Government at its meeting on [14 May 2025](#). In his new capacity, he will represent the state before the ECtHR, coordinate

the actions of national authorities aimed at preventing and remedying violations of the European Convention on Human Rights, and contribute to the promotion of European standards in national legislation and practice. He will also be responsible for coordinating the execution of ECtHR judgments. Andrei Briceac has extensive experience in the field of human rights, having previously worked as a lawyer and [represented applicants](#) in over 10 successful cases before the ECtHR. He has also served as the president of a non-governmental organization. The position of Government Agent had [remained vacant](#) since December 2023, following the resignation of Dumitru Obadă, the current President of the Superior Council of Prosecutors. The position of Government Agent is held for a single non-renewable seven-year term.

On 5 May 2025, the [deadline for submitting applications](#) for the position of Chief Prosecutor of the Anticorruption Prosecutor's Office (APO) expired. Two candidates applied: [Octavian Iachimovschi](#), Acting Deputy Chief Prosecutor of the APO, and [Marcel Dumbrăvan](#), the current Acting Chief Prosecutor of the APO. On 20 May 2025, the Special Pre-selection Commission declared both candidates eligible and scheduled the interview for 10 June 2025. Following the interview, Marcel Dumbrăvan received the highest score. The position of Chief Prosecutor of the APO became vacant after the resignation of Veronica Dragalin.

On 8 May 2025, the Prosecutor Vetting Commission [announced](#) the initiation of the vetting process for prosecutors within the Prosecutor's Office for Combating Organized Crime and Special Causes (PCCOCS), as well as for senior prosecutors within the General Prosecutor's Office. According to the list submitted by the Superior Council of Prosecutors (SCP), 88 prosecutors were notified to submit their declarations of assets and personal interests for the past five years. The deadline for submission was 28 May 2025. Until that deadline, the prosecutors concerned had the option to resign honorably from the system. Failure to appear or refusal to participate in the evaluation is equivalent to failing the evaluation, resulting in dismissal from office and a prohibition on holding any position as a prosecutor or other public office for a period ranging from 5 to 7 years.

On 14 May 2025, the Government approved three Roadmaps which constitute key benchmarks in the Republic of Moldova's accession process to the European Union. These include: [Public Administration Reform](#); [Rule of Law](#); and [Functioning of Democratic Institutions](#) (the measures related to justice and democratic institutions can be found in [LRCM's Newsletter No. 77](#)). The Ministry of Justice, the Ministry of Internal Affairs, and the State Chancellery will monitor the implementation of the actions set out in these documents and report quarterly to the European Integration Office on their level of execution.

On 22 May 2025, Parliament adopted, in second reading, a [draft law](#) providing for the exemption of victims of domestic violence from court fees and stamp duties in certain cases. The draft was prepared by the Ministry of Justice to implement the [Constitutional Court's Judgment No. 20/2024](#). The legislative amendments aim to remove financial barriers to access to justice for victims of domestic violence and to strengthen their legal protection. As a result, victims of domestic violence will no longer be required to pay court fees and stamp duties in cases concerning

the division of property or other patrimonial disputes related to acts of violence, regardless of their procedural status in the case.

On 22 May 2025, Parliament adopted a [decision](#) aimed at strengthening the activity of the National Integrity Authority (NIA). The initiative, supported by [59 MPs](#), focuses on internal reorganization to enhance the institution's efficiency, as well as on increasing the number of staff. Among the main changes is the merger of the Human Resources Directorate with the Security, Audit and Integrity Control Service to establish the Internal Security Directorate. Additionally, a new Document Management Service was created to improve oversight of document circulation, including classified materials, and to enhance the processes of systematization and archiving.

On 22 May 2025, Parliament [adopted](#) in third reading the draft law on combating electoral corruption and related practices, with the support of [57 MPs](#). The draft law provides for tougher sanctions for electoral corruption, illegal financing of political parties, and falsification of voting results by any means. The new law also introduces provisions for the prioritization of judicial proceedings concerning electoral corruption, sanctions for electoral campaigning conducted by non-profit organizations or representatives of religious denominations—including within places of worship—restrictions and measures concerning extremist activities, and strengthened accountability and financial transparency in the electoral process. The third reading was necessary to incorporate several amendments proposed by key institutions, which largely reflected the recommendations received from international experts and civil society representatives, as well as for drafting and technical adjustments. Given the importance of the legislation, the draft was [submitted](#) to the Venice Commission for an opinion. The law will enter into force upon publication in the [Official Gazette](#), except for the amendments to Article 35 of the Electoral Code, which will take effect on 1 January 2026.

On 26 May 2025, the Supreme Court of Justice unanimously rejected the vetting appeals submitted by Judge [Mariana Ursachi](#) and Judge [Dorin Munteanu](#), challenging the decisions of the Superior Council of Magistracy and the Vetting Commission regarding their failure to pass the external evaluation. As a result of these final rulings, both judges were dismissed from office and lost their entitlement to the one-time severance payment. In the case of Mariana Ursachi—who became publicly known after declaring a Porsche Cayenne as worth only 11,000 MDL—the sanctions also include a seven-year ban from holding judicial or other public office.

On 28 May 2025, the Cabinet of Ministers [approved](#) the [National Programme of the Accession of the Republic of Moldova to the European Union for 2025–2029 \(NPAA\)](#). The programme covers all 33 chapters of the EU negotiation framework, including the political criteria (functioning of democratic institutions, public administration reform, and public finance management) and the economic criteria, and is structured into six thematic clusters. The document provides for the transposition of over 3,000 pieces of EU legislation into national law. The implementation of the NPAA will be coordinated by the State Chancellery through the European Integration Office. Progress will be reported annually to both the

Government and Parliament. The NPAA will be updated each year starting in October, to incorporate recommendations and benchmarks set out in the European Commission's annual progress report, as well as other commitments undertaken during the EU accession negotiations.

On 29 May 2025, Parliament **adopted** in final reading the Law on Partially Free State-Guaranteed Legal Aid, with the support of **63 MPs**. The law aims to facilitate access to justice for individuals with low incomes. Previously, only persons with incomes below the minimum wage were eligible for this type of support. The new law extends the eligibility threshold, allowing individuals whose monthly income exceeds the national minimum wage by no more than 30% to benefit from qualified legal aid, guaranteed by the state, on a partially free basis. In such cases, the applicant will be required to cover 30% of the costs associated with the provision of legal aid. The provisions also apply to mediation services. Additionally, the procedure for requesting state-guaranteed legal aid has been simplified by removing the obligation to submit an income declaration; instead, verifications will be conducted through state registers. The law also amends the Criminal Procedure Code by clarifying the possibility of replacing a defence counsel who is unjustifiably absent or refuses to exercise the defence, in all cases where legal representation is mandatory. The law will enter into force three months after its publication in the [Official Gazette](#).

On 29 May 2025, Parliament **adopted** in final reading the Law on the Partial Implementation of Voting by Mail, with the support of **58 MPs**. The purpose of the law is to prevent procedural errors and to increase the transparency and security of the electoral process. The legislation extends the list of countries where voting by mail will be implemented, adding Japan, Australia, the Republic of Korea, and New Zealand. Voting by mail was first introduced for the 2024 presidential elections and constitutional referendum, where it was exercised by Moldovan citizens residing in the United States, Canada, Norway, Sweden, Finland, and Iceland. The law entered into force on 3 June 2025.

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