

**Evaluation Report No. 6 of 23 July 2025,
on Marcel DUMBRAVAN, Interim Chief Prosecutor of the Anticorruption Prosecutor's
Office, subject of evaluation under Law No. 252/2023**

Evaluation Panel B ("the Panel") of the Prosecutor Vetting Commission ("the Commission") established by Law No. 252/2023 on the external evaluation of judges and prosecutors and amending some normative acts ("Law No. 252/2023"), discharging the powers under the same Law, deliberated in private and approved this report on 23 July 2025.

The members participating in the approval of the evaluation report were:

Panel B

Virginia MORARU – Panel's Chair

Cornel LEBEDINSCHI

Irmantas MIKELIONIS

Based on its work in collecting and reviewing the information, as well as the explanations provided in the public hearing and subsequent deliberations, the Panel B prepared the following evaluation report.

I Introduction

1. This report concerns the subject of evaluation Marcel DUMBRAVAN, the Interim Chief Prosecutor of the Anticorruption Prosecutor's Office.
2. The Panel evaluated the subject of evaluation ("the subject") according to the procedure and criteria regulated by Law No. 252/2023, and according to the Rules of Procedure of the Prosecutor Vetting Commission ("the Commission Rules") approved by the Commission pursuant to art. 5 para. (4) of Law No. 252/2023.
3. The Panel unanimously concluded that Marcel DUMBRAVAN meets the ethical and financial integrity criteria identified in Law No. 252/2023.

II. Subject of the Evaluation

4. The subject of evaluation was appointed as a trainee prosecutor on 18 April 2005 to serve in the Florești District Prosecutor's Office. On 22 March 2006, he was appointed to the position of prosecutor in the same Prosecutor's Office. Subsequently, on 21 January 2008, he was appointed as a prosecutor at the Anti-Corruption Prosecutor's Office. As of 10 December 2019, he served as the Interim Deputy Chief Prosecutor of the Anti-Corruption

Prosecutor's Office and Head of the "North" Service. Since 4 March 2025, he has been acting as the Interim Chief Prosecutor of the Anticorruption Prosecutor's Office.

III. Evaluation Criteria

5. Under art. 11 para. (1) of Law No. 252/2023, the Commission evaluates the subject's ethical and financial integrity.
6. Art. 11 para. (2) of Law No. 252/2023 provides that a subject is deemed not to meet the requirements of ethical integrity if the Commission has determined that:
 - a) over the last 5 years, the subject has seriously violated the rules of ethics and professional conduct of judges or, as the case may be, of prosecutors, as well as if the subject acted arbitrarily or issued arbitrary acts over the last 10 years, contrary to the imperative rules of law, and the European Court of Human Rights has established, before the adoption of the act, that a similar decision was contrary to the European Convention on Human Rights.
 - b) over the last 10 years, the subject has admitted in his/her activity incompatibilities and conflicts of interest that affect the position held.
7. Art. 11 para. (3) of Law No. 252/2023 provides that the subject shall be deemed not to meet the criterion of financial integrity if the Commission has serious doubts determined by the fact that:
 - a) the difference between assets, expenses, and income, for the last 12 years, exceeds 20 average salaries per economy, in the amount as set by the Government for the year 2023
 - b) over the last 10 years, the subject admitted tax irregularities as a result of which the amount of unpaid tax exceeded, in total, 5 average salaries per economy, in the amount as set by the Government for the year 2023.
8. The average salary per economy for 2023 was 11,700 MDL.¹ Thus, the threshold of 20 average salaries is 234,000 MDL and the threshold of five average salaries is 58,500 MDL.
9. Art. 11 para. (4) of Law No. 252/2023 allows the Commission to verify various things in evaluating the subject's financial integrity, including payment of taxes, compliance with the legal regime for declaring assets and personal interests, the sources of funds of the subject's wealth.
10. Art. 11 para. (5) of Law No. 252/2023 provides that in evaluating compliance with the criteria set out in para. (3) of this article, the Commission shall also take into account the

¹ Government Decision No. 936/2022 on the approval of the amount of the average monthly salary per economy, forecast for 2023.

wealth, expenses, and income of close persons, as defined in Law No. 133/2016 on the declaration of assets and personal interests, as well as of the persons referred to in art. 33 para. (4) and (5) of Law No. 132/2016 on the National Integrity Authority.

11. Art. 11 para. (6) of Law No. 252/2023 provides that in assessing compliance with the criteria set out in art. 11 paras (2) and (3), the legal provisions in force when the relevant acts occurred are applied. The documents or findings of other entities with competence in the areas concerned shall have no predetermined value for the Commission. Findings in final judgments shall be taken into account by the Commission, except for judgments that the Commission considers to be arbitrary or manifestly unreasonable. The Commission may rule only on breaches of the rules of ethics and professional conduct, without ruling on the legality of the decisions in question.
12. In applying art. 11 para. (3) of Law No. 252/2023, the Commission cannot apply the term “serious doubts” without considering the accompanying phrase “determined by the fact that”. This phrase suggests that the Commission must identify as a “fact” that the specified conduct has occurred.
13. Regarding the standard of “serious doubts” in the context of the vetting exercise, the Constitutional Court noted with reference to its previous decisions that the definition of standards of proof inevitably involves using flexible texts. The Court also said that the Superior Council of Prosecutors can only decide not to promote a subject if the report examined contains “confirming evidence” regarding the non-compliance with the integrity criteria. The word “confirms” suggests a certainty that the subject does not meet the legal criteria. Thus, comparing the wording “serious doubts” with the text “confirming evidence”, the Court considered that the former implies a high probability, without rising to the level of certainty (Constitutional Court Judgment No. 2 of 16 January 2025, §§ 99, 101).
14. The Commission notes that the Venice Commission underlined that in “a system of prior integrity checks, the decision not to recruit a subject can be justified in case of mere doubt, on the basis of a risk assessment. However, the decision to negatively assess a current post holder should be linked to an indication of impropriety, for instance inexplicable wealth, even if it cannot be proven beyond doubt that this wealth does come from illegal sources” (Opinion No. 1064/2021 of 20 June 2022, CDL-AD (2022)011-e, para. 10; Joint Opinion of 14 March 2023 CDL AD(2023)005, para. 69).
15. Shifting the burden of proof to the subject, once the evaluating body has identified integrity issues, has been found permissible by the European Court of Human Rights (“ECtHR”), even in the vetting of sitting judges who may lose their positions or otherwise be sanctioned as a consequence of the evaluation. In *Xhoxhaj v. Albania*, no. 15227/19, 31 May 2021, § 352, the Court stated that “it is not per se arbitrary, for the purposes of the ‘civil’ limb of Article 6 § 1 of the Convention, that the burden of proof shifted onto the applicant in the vetting proceedings after the IQC [Independent Qualification Commission] had made available the preliminary findings resulting from the conclusion of the investigation and had given access to the evidence in the case file” (confirmed for the vetting of prosecutors in *Sevdari v. Albania*, no. 40662/19, 13 December 2022, § 130).

16. Once the Commission establishes substantiated doubts based on particular facts that could lead to failure of evaluation, the subject will be afforded the opportunity to oppose those findings and to submit arguments in defense, as provided by art. 16 para. (1) of Law No. 252/2023. After weighing all the evidence and information gathered during the proceedings, the Commission makes its determination.

IV. Evaluation Procedure

17. Marcel DUMBRAVAN was on the list of subjects submitted by the Superior Council of Prosecutors ("SCP") to the Commission on 23 May 2024 for evaluation pursuant to art. 12 para. (1) of Law No. 252/2023.
18. The subject held the position of Interim Deputy of the Chief Prosecutor of the Anti-Corruption Prosecutor's Office, Head of North Service, and from 4 March 2025 the subject holds the position of Interim Chief Prosecutor of the Anti-Corruption Prosecutor's Office and was evaluated based on provisions of art. 3 para. (1) lit. e) and para. (3) of Law no. 252/2023.
19. On 24 May 2024, the Commission notified the subject of its initiation of evaluation and requested that he completes and returns the declaration of assets and personal interests for the last five years ("five-year declaration") which includes the list of close persons in the judiciary, prosecution and public service, and an ethics questionnaire within 20 days, as provided in art. 25 para. (3) of the Commission Rules, consistent with art. 12 para. (4) of Law No. 252/2023. The subject returned the completed five-year declaration and ethics questionnaire within the deadline, on 7 June 2024.
20. Pursuant to art. 15 para. (2) of Law No. 252/2023 and art. 17 of the Commission Rules, the file in this matter was randomly assigned to Panel B.
21. On 16 August 2024, the Commission notified the subject by email that his evaluation file had been randomly assigned to Panel B, comprising Virginia MORARU (Panel's Chair), Cornel LEBEDINSCHI and Irmantas MIKELIONIS. The subject was informed that he may request, in writing and at the earliest possible time, the recusal of members from their evaluation. The subject did not request the recusal of members.
22. Because the law sets different evaluation periods for the ethical and financial integrity criteria cited above, the Panel evaluated compliance with these criteria over the past five, 10 and 12 years, respectively. Due to the end-of-the-year availability of the tax declarations and declarations on assets and personal interests, the evaluation under financial integrity criteria included the periods of 2012 - 2023 and 2014 - 2023. The evaluation period for the ethical integrity criteria includes the past five or 10 years calculated as per art. 24 para. (3) lit. b) of the Commission Rules.
23. During the last 12 years of the evaluation period, the subject was required to file declarations, both under Law No. 133/2016 on the declaration of assets and personal interests ("Law No. 133/2016"), and under the previous Law No. 1264/2002 on the

declaration and control of income and property of persons with public dignity positions, judges, prosecutors, civil servants and some persons with managing positions ("Law No. 1264/2002").

24. As part of the evaluation of the ethical and financial integrity of the subjects, the Commission obtained information from numerous sources. The sources generally included the General Prosecutors Office ("GPO"), specialized Prosecutors Offices, Superior Council of Prosecutors ("SCP"), National Integrity Authority ("NIA"), National Anti corruption Center ("NAC"), Office for Prevention and Fight Against Money Laundering ("AML"), Ministry of Internal Affairs ("MIA"), Customs Service ("CS"), State Tax Service ("STS"), General Inspectorate of Border Police ("Border Police"), the National Office of Social Insurance ("CNAS"), Public Services Agency ("PSA"), Governmental Agent within the Ministry of Justice, banks, financial institutions etc. Information was also sought, and where applicable obtained, from other public and private entities, as well as open sources, such as social media and investigative journalism reports. No complaints or information were received from members of civil society. All information received was carefully screened for accuracy and relevance.
25. To the extent that issues were raised from the subject's five-year declaration, and ethics questionnaire and collected information, those issues were raised in written questions with the subject.
26. On 19 December 2024, the Panel asked the subject to provide additional information by 27 December 2024 to clarify certain matters ("first round of questions"). The subject provided answers and documents within the set deadline. The subject provided answers and documents within the set deadline – on 27 December 2024. On 14 January 2025, the subject provided additional written information (correction).
27. On 12 March 2025, the Panel asked the subject to provide additional information by 19 March 2025 to clarify certain matters ("second round of questions"). The subject provided answers and documents within the set deadline – on 18 March 2025.
28. On 8 April 2025, the Panel asked the subject to provide additional information by 8 April 2025 to clarify certain matters ("third round of questions"). The subject provided answers and documents within the set deadline – on 7 April 2025. On 11 April 2025 and on 8 May 2025, the subject presented additional documents related to a question asked in the third round of questions.
29. On 13 May 2025, the Panel asked the subject to provide additional information by 20 May 2025 to clarify certain matters ("fourth round of questions"). The subject provided answers and documents within the set deadline – on 19 May 2025.
30. On 3 June 2025, the Panel asked the subject to provide additional information by 10 June 2025 to clarify certain matters ("fifth round of questions"). The subject provided answers and documents within the set deadline – on 9 June 2025.
31. On 13 June 2025, the Panel notified the subject that it had not identified in its evaluation any areas of doubt about the subject's compliance with the ethical and financial integrity

criteria and invited the subject to attend a hearing on 30 June 2025. The subject was informed that he could request access to the evaluation materials.

32. The subject did not request access to the evaluation materials according to art. 16 para. (5) lit. c) of Law No. 252/2023 and, therefore, did not receive the materials.

33. On 30 June 2025, the subject took part in a public hearing of the Panel.

34. At the hearing, the subject reaffirmed the accuracy of his answers in the five-year declaration and ethics questionnaire and stated that he did not have any corrections or additions to the answers he had previously provided to the Panel's requests for information.

V. Analysis

35. This section discusses the relevant facts and reasons for the Panel's conclusion.

36. Based on the information it collected, the Panel did not find any issues that raised doubts as to the subject's compliance with ethical and financial integrity criteria as per art. 11 of Law No. 252/2023. The subject clarified all questions the Panel had within the rounds of written questions.

Issues that raised certain doubts during the evaluation but do not lead to failure under the thresholds set by Law No. 252/2023:

37. Also, based on the information it collected, the Panel analyzed and sought further clarifications from the subject on the following matter:

- Potential inexplicable wealth for the years 2012 - 2016 and 2019

38. The issue of potential inexplicable wealth for the years 2012 - 2016 and 2019 was mitigated before the hearing.

- Potential inexplicable wealth for the years 2012 - 2016 and 2019

39. The negative balance for the years 2012 - 2016 and 2019 amounted to 199,882 MDL, which is below the threshold of 234,000 MDL under art. 11 para. (3) lit. a) of Law No. 252/2023.

40. Following a detailed analysis of the subject's financial situation and the subject's explanations during five rounds of questioning, the Panel established a difference (negative balance) between the subject's household income (incoming cash flows) and expenses (outgoing cash flows) in 2012 - 2016 and 2019, as follows:

Year	Negative balance (in MDL)
2012	-16,999

2013	-21,977
2014	-19,081
2015	-22,410
2016	-63,633
2019	-55,782
Total	-199,882

41. Based on the performed analysis, the subject's household had a total net income of 3,268,527 MDL during the evaluated period from 2012 to 2023. The sources of income are mainly from the subject's salary (2,470,353 MDL), the subject's wife's salary (574,277 MDL), the subject's stipend (9,270 MDL), the subject's per diem (1,533 MDL), the subject's wife's social benefits (1,855 MDL), proceeds from the sale of a vehicle (6,000 MDL), interest and cashback (5,239 MDL), and potential cash savings (accumulated in the period preceding 1 January 2012) – 103,026 MDL.
42. The subject's household expenses during the evaluated period (2012 - 2023) totalled 2,363,217 MDL. Total expenses during the evaluated period (2012 - 2023) include: purchase of real estate (85,341 MDL), purchase of vehicles (191,300 MDL), expenditures for vacations disclosed in the five-year declaration submitted to the Commission (188,501 MDL), and living expenses (1,698,075 MDL).
43. The negative balance was primarily formed due to doubts regarding living expenses and current expenditures. The Panel sought clarification from the subject on this matter and asked him to explain the discrepancy between his income and expenses.
44. The Panel notes that for estimating a subject's expenses related to living expenses, as per point 3.5 of the Annex to the Commission Rules, the Commission employs the National Bureau of Statistics' (NBS) calculation of Consumption Expenditures per Population ("CEP") method. CEP is a statistical method that estimates the average monthly consumption of a household depending on the number of adults and children in the household and the living area. The expense categories of this indicator, as well as the percentage attributed by NBS for each of these categories, are those of essential expenses an individual or household may incur linked to basic needs. No luxury items are included in any of these categories.
45. **Inexplicable wealth in 2012.** According to the information available to the Commission, in 2012, the subject's family had a total net income of 161,520 MDL. During the same period, the subject's family's expenses amounted to 178,519 MDL. Consequently, in 2012, the subject had a negative financial balance of 16,999 MDL, calculated as the difference between the income and expenses, as follows:

Incomes		Expenses	
Description	Amount (in MDL)	Description	Amount (in MDL)

Potential cash savings at the beginning of 2012	103.026	Purchase of movable asset (vehicle "Renault Scenic", m.v. 2004)	6.300
Salary from Prosecutor's Office	58.462	CEP (two adults and two children in the household, in urban area) ²	69.193
Paid interest on all salary bank accounts	32	Cash savings at the end of the year	103 026
TOTAL INCOMES	161.520	TOTAL EXPENSES	178.520
BALANCE: -16,999 MDL			

46. **Inexplicable wealth in 2013.** According to the information available to the Commission, in 2013, the subject's family had a total net income of 89 923 MDL. During the same period, the subject's family's expenses amounted to 211 901 MDL. Consequently in 2013, the subject had a negative financial balance of 21,977 MDL, calculated as the difference between the income and expenses, as follows:

Incomes		Expenses	
Description	Amount (in MDL)	Description	Amount (in MDL)
Potential cash savings at the beginning of 2013	103,026	CEP (two adults and two children in the household, in urban area)	80,756
Salary from Prosecutor's Office	79,526	Cash savings at the end of the year	131,099
Wife's salary	7,316	Bank savings at the end of the year	46
Paid interest on all salary bank accounts	56		
TOTAL INCOMES	189 923	TOTAL EXPENSES	211,901
BALANCE: -21,977 MDL			

² The CEP for any year between 2006 - 2018 is calculated based on NBS methodology applied for the period of 2006 - 2018 (on the basis of "stable population" in the "discontinued series") and the method available on the NBS site (ENG). In this case, the indicator of Consumption expenditures by population according to purpose of expenditures, number of children and area 2006 - 2018 is chosen with the following variables: Year - Consumption expenditures total - Area (Urban/Rural) - Number of children (if no children, without children is chosen) - Lei, average monthly per capita for one person. The generated result is multiplied by the number of family members and 12 calendar months.

The CEP for any year between 2019 - 2023 is calculated based on NBS methodology and the method available on the NBS site (ENG). In this case, the indicator of Consumption expenditures by population according to purpose of expenditures, number of children and area 2019 - 2023 is chosen with the following variables: Year - Consumption expenditures total - Area (Urban/Rural) - Number of children (if no children, without children is chosen) - Lei, average monthly per capita for one person. The generated result is multiplied by the number of family members and 12 calendar months.

47. **Inexplicable wealth in 2014.** According to the information available to the Commission, in 2014, the subject's family had a total net income of 213,014 MDL. During the same period, the subject's family's expenses amounted to 232,096 MDL. Consequently, in 2014, the subject had a negative financial balance of 19,081 MDL, calculated as the difference between the income and expenses, as follows:

Incomes		Expenses	
Description	Amount (in MDL)	Description	Amount (in MDL)
Potential cash savings at the beginning of 2014	131,099	CEP (two adults and two children in the household in urban area)	74,372
Bank savings at the beginning of 2014	46	Cash savings at the end of the year	157,680
Salary from Prosecutor's Office	68,297	Bank savings at the end of the year	43
Wife's salary	13,531		
Paid interest on all salary bank accounts	41		
TOTAL INCOMES	213,014	TOTAL EXPENSES	232,096
BALANCE: -19,081 MDL			

48. **Inexplicable wealth in 2015.** According to the information available to the Commission, in 2015, the subject's family had a total net income of 270,873 MDL. During the same period, the subject's family's expenses amounted to 293,283 MDL. Consequently, in 2015, the subject had a negative financial balance of 22,410 MDL, calculated as the difference between the income and expenses, as follows:

Incomes		Expenses	
Description	Amount (in MDL)	Description	Amount (in MDL)
Potential cash savings at the beginning of 2015	157,680	CEP (two adults and two children in the household in urban area)	98,914
Bank savings at the beginning of 2015	43	Cash savings at the end of the year	193,816
Salary from Prosecutors Office	73,201	Bank savings at the end of the year	553
Wife's salary	39,901		
Paid interest on all salary bank accounts	48		

TOTAL INCOMES	270.873	TOTAL EXPENSES	293.283
BALANCE: -22,410 MDL			

49. **Inexplicable wealth in 2016.** According to the information available to the Commission, in 2016, the subject's family had a total net income of 329.849 MDL. During the same period, the subject's family's expenses amounted to 393.482 MDL. Consequently, in 2016, the subject had a negative financial balance of 63.633 MDL, calculated as the difference between the income and expenses, as follows:

Incomes		Expenses	
Description	Amount (in MDL)	Description	Amount (in MDL)
Potential cash savings at the beginning of 2016	193.816	Purchase of real estate (apartment located in Bălți Municipality)	85.341
Bank savings at the beginning of 2016	553	CEP (two adults and two children in the household in urban area)	95.451
Salary from Prosecutor's Office	1 0 299	Cash savings at the end of the year	207.536
Wife's salary	15 037	Bank saving at the end of the year	5.154
Paid interest on all salary bank accounts	143		
TOTAL INCOMES	329.849	TOTAL EXPENSES	393.482
BALANCE: 63,633 MDL			

50. **Inexplicable wealth in 2019** According to the information available to the Commission, in 2019 the subject's family had a total net income of 709.330 MDL. During the same period, the subject's family's expenses amounted to 765.111 MDL. Consequently, in 2019, the subject had a negative financial balance of 55.782 MDL, calculated as the difference between the income and expenses, as follows:

Incomes		Expenses	
Description	Amount (in MDL)	Description	Amount (in MDL)
Cash savings at the beginning of 2019	428.036	Purchase of movable asset (vehicle "Renault Megane Scenic", m.v. 2015)	185.000
Bank savings at the beginning of 2019	3.326	Expenditures disclosed in SYD (touristic voucher for vacations)	42.782

Salary from Prosecutor's Office	265,633	CEP (two adults and two children in the household in urban area)	135,468
Stipend from "Alecu Russo" State University (Balti)	4,725	Cash savings at the end of the year	400,891
Per Diem from CEELI Institute (Prague, Czech Republic)	1,533	Bank savings at the end of the year	970
Proceeds from the sale of movable asset (vehicle "Renault Scenic", m./y. 2004)	6,000		
Paid interest on all salary bank accounts	77		
TOTAL INCOMES	709,330	TOTAL EXPENSES	765,111
BALANCE: -55,782 MDL			

51. In the first round of questions, the subject was requested to provide information regarding the expenses incurred for the upbringing care and education of his children. In response, the subject stated that his family did not incur any costs related to the child's healthcare, recreational activities, clothing, or footwear. He further clarified that the family's food-related expenses were minimal, given that both his parents and his wife's parents live in the countryside, where they raise poultry, pigs, and goats, thus regularly supplying the family with meat, eggs, dairy products, and other produce. Additionally, the subject indicated that his family cultivates a land plot next to their house, as well as agricultural land located outside the built up area, where they grow fruits and vegetables, which they share with others.
52. In the fourth round of questioning, the subject was requested to clarify the negative balance identified between his family's income and expenditures for the years 2012 - 2016 and 2019. The subject contested the methodology used in the calculation of the CEP, arguing that the applied formula was inaccurate and led to excessive or incorrect estimations. The subject stated that the estimated consumption level was disproportionate to his family's modest lifestyle. In particular, he emphasized that food-related expenses were minimal, as approximately 85% of the family's food needs were met through in-kind support from his and his spouse's parents, who live in rural areas and raise livestock and cultivate crops for personal use. These relatives regularly provided meat, dairy products, vegetables, and other agricultural goods free of charge. The subject contended that the CEP calculation fails to reflect the actual circumstances of his household and that the variable "Total consumption expenses" is not fully applicable in his case. He argued that the formula should be recalibrated, taking into account the subcomponents of consumption, and specifically requested that the sub-variable "Food products" be reduced by 85% to reflect his family's real consumption needs and sources accurately.

53. According to the subject's calculations, if, by applying the CEP formula, the family's food-related expenses were reduced by 85%, the negative balance between the family's income and expenses would only exist for the year 2016 for 29,038 MDL, and for the year 2019 in the amount of 9,878 MDL.
54. The subject submitted two certificates issued by the public authorities: the Town Hall of Corlăteni Village, Rîșcani District and the Town Hall of Sevirova Commune, Florești District, regarding his parents' and parents-in-law's agricultural activities.
55. According to the Certificate No. 406 of 16 May 2025, issued by the Town Hall of Corlăteni Village, Rîșcani District, the subject's father, [REDACTED] and his mother, [REDACTED], residents of Corlăteni Village, Rîșcani District, with a domicile visa in the same locality, own the construction, garden and agricultural land plots with a total area of 3.6127 ha. Agricultural land plots are leased to the farm production cooperative [REDACTED]. The annual payment amount according to the lease contract for all the above-mentioned land plots is as follows: 1,000.00 kg of wheat, 750.00 kg of corn, 250.00 kg of sunflower seeds, and 125.00 kg of sugar. It is also stated in the certificate that in the household, during the period 2012 - 2024 the following domestic animals grew and are growing annually and currently: 60 chickens, 40 ducks, 40 geese, 30 - 40 rabbits, 3 goats, 2 pigs and 1 cow, which are used for family food consumption, and for livestock grazing, the annual land tax being paid.
56. According to the Certificate No. 110 of 15 May 2025, issued by the Town Hall of Sevirova Commune, Florești District, the subject's father-in-law, [REDACTED] and mother-in-law, [REDACTED], residents of Sevirova Village, Sevirova Commune, Florești District, with a domicile visa in the same locality, own construction agriculture land plots with a total area of 7.3937 ha. These land plots are leased to the commercial company [REDACTED], for all of which the subject's parents-in-law receive wheat, corn, sunflower seeds and sugar. According to the certificate, during the period 2012 - 2024, the subject's parents-in-law raised poultry, pigs and cattle for family food consumption within the household.
57. In the fifth round of questions, the subject was asked by the Panel to provide copies of the land plots lease contracts concluded by his parents and in-laws with the agricultural production companies, confirmatory documents proving the receipt of payment for the lease of agricultural land plots, and other additional evidence, that his parents and parents-in-law have owned the households and kept domestic animals and birds, grown fruits and vegetables since 2012 until 2023.
58. The subject submitted 13 copies of the lease agreements concluded by his parents (including his grandparents until their death) with [REDACTED] and by his parents-in-law with [REDACTED], which reflect the specific land plots leased, the lease period (one - three years), the negotiated payment in kind and other contractual clauses, as well as certificates/confirmations/explanatory notes regarding the payment for each separate calendar year, included in the assessed period evaluated period.

(2012 - 2023). These documentations attest the additional sources of income obtained by the subject's parents and parents-in-law, available for transfer to the subject's family.

59. The subject provided explanatory letters from the legal entities mentioned in the lease contracts, containing the name of the agricultural production released as payment in kind, its quantity and the equivalent value in MDL for each year included in the evaluated period (2012 - 2023):

- Certificate No. 6 of 5 June 2025, issued by [REDACTED].
- Explanatory Letter from the Director of [REDACTED].

60. The subject also presented several additional certificates, issued by the Town Hall of Corlăteni Village, Rîșcani District and the Town Hall of Sevirova Commune, Florești District, confirming the payment by his parents and in-laws of the land tax for grazing domestic animals:

- Certificate No. 123 of 5 June 2025, issued by the Town Hall of Sevirova Commune, Florești District.
- Confirmation No. 456 of 6 June 2025, issued by the Town Hall of Corlăteni Village, Rîșcani District.

61. Along with the confirmatory documents to the answers of fifth round of questions, the subject presented photos showing certain aspects of his parents' household and in-laws' household (land plots of where fruit, vegetables and herbs are grown, rooms where bags of cereals, sugar, honey, eggs, and oil are stored, refrigerators with frozen meat and meat products, enclosures with live domestic animals and poultry, etc.).

62. The subject provided statements of [REDACTED] and [REDACTED] (neighbours of subject's parents), [REDACTED] and [REDACTED] and (neighbours of subject's parents), [REDACTED] (neighbour of subject's parents-in-law), [REDACTED] (neighbour of subject's parents-in-law) and photographs attesting that his parents and parents-in-law have owned and currently own the households as mentioned earlier and have raised domestic animals and poultry, grown fruits and vegetables from 2012 until the end of the evaluated period (2023), they have frozen meat in stock at present as a result of the regular slaughter of domestic animals and poultry and they have preserves, other products, etc., which periodically and when necessary are provided by them to my family.

63. All the confirmatory documents and photo images provided by the subject corroborated with his answers to the Panel's written questions, allowing us to assume that the subject's parents and in-laws could provide support in the form of food products prepared and delivered to the subject's family throughout the entire evaluated period (2012 - 2023).

64. Considering all the above, the Panel admits that the subject's household could have benefited from the support of his parents and parents-in-law. However, the Panel cannot determine the exact quantity of the food products received by the subject's household each year from his parents and parents-in-law. At the same time, the Panel notes that according to NBS publications for relevant years, the expenses in kind (i.e. the consumption of food

products received free of charge from outside the household, from agricultural activity carried out on own account, from relatives, as social aid, etc.) are on average 15.7% for rural area and 3.6 % for urban area, for years where the subject incurs inexplicable wealth.

65. Taking into account all the supporting documents the subject presented on the income in kind obtained by his parents and parents-in-law, the Panel deems it reasonable to accept that the CEP expenses could have been lower for the subject's household, by applying the income in kind for rural area, based on the statistical data published by NBS (considering the origin of the products from the rural area and the proximity of the subject's residence to the households of his parents and parents-in-law).
66. The Panel also notes that the total net salary income of the subject's family in 2012 (58,463 MDL) was lower than the CEP (74,654 MDL) calculated initially for his family for the same year. Thus, the Panel also took into account the aspects highlighted by the Supreme Court of Justice in its Decision on the appeal filed by Rodica Chirtoacă against the decision of the Superior Council of Magistracy (external evaluation pursuant to Law No. 65/2023) from 16 August 2024. In para. 53 with reference to the use of the CEP in the calculation of the consumption expenditures of the evaluated subjects, the Court mentioned "The sources from which judges and prosecutors can obtain income are limited by law and their workload makes it unlikely that they will be able to earn a significant amount of additional income from the categories of activities permitted by law. Therefore, it may be unreasonable to require a judge or prosecutor to confirm sufficient income to cover consumption expenditures when their total family income is lower than the consumption expenditures of the population and their partner is unable to earn an income or a higher income."³
67. In addition, considering the modest lifestyle of the subject's family (especially in the first years in the evaluated period), the Panel admits that the established negative balance of 199,882 MDL could be reduced. Even if a negative financial flow for these years was treated as potential inexplicable wealth, it does not exceed the threshold of 234,000 MDL under art. 11 para. (3) lit. a) of Law No. 252/2023.
68. Since the difference does not exceed the threshold established by law, this does not lead to the subject's failure of the evaluation under financial integrity criterion established in art. 11 para. (3) lit. a) of the mentioned law.

VI. Conclusion

69. Based on the information it obtained and that was presented by the subject, the Panel proposes that Marcel DUMBRAVAN passes the external evaluation made according to the criteria set in art. 11 of Law No. 252/2023.

³ https://cdn.prod.website-files.com/65dc9c889b671cd4987c7b51/677fa526b92dcad855210bdc_Chirtoaca%2010t%20CSJ%20ro.pdf

VII. Further Action and Publication

70. According to art. 17 para. (5) of Law No. 252/2023, this evaluation report shall be sent by e-mail to the subject and the SCP within three days of its approval, and on the same day the Commission will publish on its official website the information on the result of the evaluation.
71. Under art. 17 para. (6) of Law No. 252/2023, the Commission will submit to the SCP, within three days of approval of the evaluation report, a hard copy of that evaluation report, along with an electronic copy of the evaluation file of the subject.
72. Under art. 17 para. (8) of Law No. 252/2023 the evaluation report, in full, will be published on the Commission's official website, with appropriate precautions to protect the privacy of the subject and other people, within three days from the expiry of the deadline for appealing the SCP's decision (pursuant to art. 18 para. (3) 1 a) and c) of Law No. 252/2023) or from the date of issuance of the Supreme Court of Justice's decision pursuant to art. 19 para. (5) point 1) and point 2) lit. c) of Law No. 252/2023).
73. Pursuant to art. 17 para. (2) of Law No. 252/2023, this evaluation report was approved unanimously by the evaluation panel on 23 July 2025 and signed by the Vice-Chairperson of the Commission.
74. Done in English and Romanian

Signature:
Digitally signed by Moraru Virginia
Date: 2025.07.28 12:46:40 EEST
Reason: MoldSign Signature
Location: Moldova
MOLDOVA EUROPEANĂ



Virginia MORARU
Vice-Chairperson
Prosecutor Vetting Commission

