

**Evaluation Report No. 8 of 8 August 2025
on Gheorghe CARAGIA, prosecutor in the Anti-Corruption Prosecutor's Office,
subject of evaluation under Law No. 252/2023**

Evaluation Panel A ("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 on 11 July 2025 and 8 August 2025.

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

*Nadejda HRIPTIEVSCHI
Christopher LEHMANN
Saskia de VRIES*

Based on its work in collecting and reviewing the information, and subsequent deliberations, the Panel prepared the following evaluation report.

I. Introduction

1. This report concerns Gheorghe CARAGIA, prosecutor in the Anti-Corruption Prosecutor's Office ("APO").
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 Gheorghe CARAGIA meets the ethical and financial integrity criteria identified in Law No. 252/2023.

II. Subject of the Evaluation

4. Gheorghe CARAGIA was appointed as a prosecutor in the Nisporeni Prosecutor's Office on 10 July 2017. On 24 January 2022, he was temporarily delegated to the APO. On 9 December 2022, Gheorghe CARAGIA was transferred to the APO.

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 established 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 (“ECtHR”) has established, before the adoption of the act, that a similar decision was contrary to the European Convention on Human Rights (“ECHR”).
 - 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 MDL¹. 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 wealth, expenses, and income of close persons, as defined in Law No. 133/2016 on the declaration of assets and personal interests (“Law No. 133/2016”), 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 (“Law No. 132/2016”).
- 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.

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

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 (“SCP”) 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 Judgement 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 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. Gheorghe CARAGIA was on the list of subjects submitted by the SCP to the Commission on 23 May 2024 for evaluation, pursuant to art. 12 para. (1) of Law No. 252/2023.
18. The subject was evaluated based on provisions of art. 3 para. (1) lit. e) 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 10 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 A.
21. On 16 August 2024, the Commission notified the subject by email that his evaluation file had been randomly assigned to Panel A with members Nadejda HRIPTIEVSCHI, Christopher LEHMANN, and Saskia de VRIES. The subject was informed that he may request, in writing and at the earliest possible time, the recusal of members from their evaluation.
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 5, 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 financial criteria for evaluation included 2012-2023 (*inexplicable wealth*) and 2014-2023 (*tax irregularities*). The evaluation period for the ethical criterion includes the past 5 or 10 years calculated as per art. 24 para. (3) lit. b) of the Commission Rules.
23. Since 2017, the subject was required to file declarations under Law No. 133/2016 on the declaration of assets and personal interests (“Law No. 133/2016”).
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 Prosecutor’s Office (“GPO”), specialized Prosecutor’s Offices, 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, State Tax Service (“STS”), General Inspectorate of Border Police, 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. The Commission also received and the Panel examined a complaint from a member 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, ethics questionnaire, and collected information, those issues were raised in written questions with the subject.
26. On 25 October 2024, the Panel asked the subject to provide additional information by 4 November 2024 to clarify certain matters (the “first round of questions”). On 13 November 2024, the Panel asked the subject to provide additional information by 20 November 2024 to clarify certain matters (the “second round of questions”). The subject provided answers and documents within the set deadlines to both rounds of questions.

27. On 30 June 2025, the Panel notified the subject that it had identified certain areas of doubt about the subject's compliance with the financial and ethical criteria, and invited the subject to attend a public hearing on 11 July 2025 pursuant to art. 16 para. (2) of Law No. 252/2023. The subject was informed about his rights under art. 16 para. (5) and that he could request access to the evaluation materials. The subject was informed that he could request access to the evaluation materials.
28. Following the subject's request, on 2 July 2025, the subject was granted access to the evaluation materials according to art. 16 para. (5) lit. c) of Law No. 252/2023.
29. On 11 July 2025, the subject took part in a public hearing of the Panel.
30. 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 Commission's requests for information.
31. On 14 July 2025, the Panel asked the subject to provide additional information by 21 July 2025 to clarify certain matters (the "post-hearing round of questions"). The subject provided answers and documents within the set deadline.

V. Analysis

32. This section discusses the relevant facts and reasons for the Panel's conclusion.
33. Based on the information it collected, the Panel analyzed and sought further clarifications from the subject on the following matters:
 - Non-declaration of cash savings in the 2018 annual declaration on assets and personal interests submitted to the NIA.
 - Source of funds for purchase of a car in 2019.
 - Source of funds for purchase of an apartment in 2020 by the subject's father-in-law.
34. The issues were discussed at the hearing.

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

Issue 1: Non-declaration of cash savings in the 2018 annual declaration on assets and personal interests submitted to the NIA.

35. In his annual declaration on assets and personal interests ("annual declaration") for 2018, submitted to the NIA on 27 March 2019, the subject declared donations totaling 40,000 EUR obtained at his wedding, which took place on 14 September 2018. However, the subject did not include any cash savings in his annual declaration for 2018.
36. In response to the first round of questions, the subject acknowledged that at the end of 2018, his household held approximately 29,000 EUR, which were funds remaining from the 40,000 EUR wedding donations after a variety of personal and family expenses. Also, the

subject explained that before submitting his annual declaration for 2018, he called the NIA hotline and was advised not to declare cash savings obtained from wedding donations as long as the donations themselves were declared.

37. During the hearing, the subject reiterated these circumstances. At the same time, he contended that it was an omission and that he actually had a legal duty to declare cash savings on the date of filling in his annual declaration for 2018.
38. Art. 4 para. (1) lit. d) of Law No. 133/2016 and Point 38 para. (3) of NIA's Regulation No. 15/2018 on how to complete the declaration of assets and personal interests in electronic form, as in force on 27 March 2019, require that the subjects of declaration reveal all cash savings held on the date of declaration that exceed 15 average salaries per economy. The average salary per economy for 2018 was 6,150 MDL². Thus, the applicable threshold of 15 average salaries was 92,250 MDL, significantly less than the amount of cash savings the subject possessed on the date of submitting his declaration.
39. According to art. 11 para. (2) lit. a) of Law No. 252/2023, the time limit for the relevance of violations of the rules of ethics and professional conduct is set at five years. Pursuant to the provisions of art. 24 para. (3) lit. b) of the Commission Rules, the five-year period is calculated as follows: the beginning of the period is the first day of the month five years ago, in which the Panel or the Commission sent the ethics questionnaire to the subject with a request to fill it out. The period ends the last day preceding the month in which the Panel or the Commission sent the questionnaire to the subject.
40. In this case, the Commission sent the ethics questionnaire to the subject on 24 May 2024. The beginning of the period is 1 May 2019. This period ends on 30 April 2024. Hence, violations by the subject of the rules of ethics and professional conduct are only relevant if they occurred between 1 May 2019 and 30 April 2024.
41. Given that the subject submitted his annual declaration for 2018 on 27 March 2019, the potential ethical violation by the subject of art. 6.6¹.7 of the Prosecutor Code of Ethics is for this reason beyond the five-year limit established by art. 11 para. (2) lit. a) of Law No. 252/2023.

Issue 2: Source of funds for purchase of a car in 2019.

42. The Panel has found that the subject's wife, C. C., owned a 2019 Hyundai Tucson from 13 August 2019 to 29 August 2023. The purchase price for this car was 24,000 EUR (473,894 MDL).
43. In response to the first round of questions, the subject stated that donations received at his wedding in 2018 (40,000 EUR) represented the sole source of funds for the purchase of his wife's car.
44. During the hearing, the subject reiterated this position.

² Government decision No. 54/2018 on the approval of the amount of the average monthly salary per economy, forecast for 2018.

45. The Panel proceeded to assess the plausibility of the subject and his wife having amassed 40,000 EUR from wedding donations – a sum included in the subject’s annual declaration for 2018. Thus, the Panel examined the information provided by the subject on the number of guests, customary donation levels, and the expenses incurred in connection with the event.
46. The subject provided details concerning the number of guests (around 200), donations made by his parents and parents-in-law, and from other close relatives. In particular, the subject made an approximate calculation regarding the amounts received from a close circle of people: his parents, parents-in-law, godparents, brother and sister. This estimate amounted to 9,300 EUR.
47. The subject also submitted income certificates for his parents and mother-in-law in Italy³, aimed to prove that their income was sufficient to cover the expenses for the wedding and the donations received from them, as well as a cost breakdown of the event (estimated at 12,000 EUR, paid by his parents and parents-in-law in equal parts).
48. In the light of the above, the Panel considers that the arguments and documents presented by the subject are sufficient to mitigate all doubts regarding the source of funds for his wife’s purchase of a 2019 Hyundai Tucson in 2019.

Issue 3: Source of funds for purchase of an apartment in 2020 by the subject’s father-in-law.

49. According to the subject’ annual declarations for 2021-2023, submitted to the NIA, he reported the right of habitation in a 76 sq. m. apartment, located in Chisinau, purchased on 13 May 2020 by his father-in-law, for the price of 1,400,000 MDL (approximately 66,921 EUR). At the hearing the subject confirmed that he and his family are still residing in this apartment, while his father-in-law has another residence.
50. In response to the first round of questions, the subject presented an income certificate from Italy showing that his mother-in-law earned 193,321 EUR as an in-house caregiver in that country from 2003 to 13 January 2024. He also stated that his father-in-law did not have an official salary during 2012-2023, as he was primarily engaged in the construction of a 170 sq. m. storage facility and other household projects, as well as agriculture, having a plum orchard, all located in the Republic of Moldova. The Panel could not identify any income obtained by his parents-in-law in the Republic of Moldova during 2012-2023.
51. In response to the second round of questions, the subject affirmed that his father-in-law did not work and had no income in Italy, although he made several visits to his wife (the subject’s mother-in-law) and occasionally helped her informally. The subject also explained that his father-in-law made a number of monetary transfers from Italy to the Republic of Moldova in 2015 and 2017, but that these were made on the subject’s mother-in-law behalf because she lacked the time for bank formalities.
52. Based on the answers and documents provided by the subject, as well as on other information obtained during the evaluation, the Panel identified significant expenses

³ The income earned by the subject’s mother-in-law in Italy is discussed in detail at Issue 3.

incurred by the subject's parents-in-law in the Republic of Moldova from 2012 to May 2020, amounting to a total of 127,921 EUR.

53. Based on the information received from financial institutions, the Panel established that from 2012 to May 2020, the subject's parents-in-law transferred a total of 172,700 EUR to the Republic of Moldova.
54. However, before the hearing, the subject presented to the Panel supporting documents regarding the earnings of his mother-in-law in Italy during the same period, which totaled 81,364 EUR – significantly less than the transferred amount of 172,700 EUR or the amount of identified expenses of his parents-in-law (127,921 EUR).
55. During the hearing, the subject stated that in fact, his mother-in-law earned more in Italy than reflected in her official income certificate, presented earlier to the Panel, because she had an additional informal income from working as a caregiver, a fact about which the subject had only been made aware of recently.
56. In response to the post-hearing round of questions, the subject submitted a written statement by his mother-in-law, dated 16 July 2025, in which she acknowledged to have been paid unofficially during 2012-2020. She estimated that during 2012-2020, she had earned approximately 291,475 EUR: 3,200 EUR in 2012; 40,000 EUR in 2013; 54,000 EUR in 2014; 54,000 EUR in 2015; 54,000 EUR in 2016; 52,000 EUR in 2017; 10,000 EUR in 2018; 13,000 EUR in 2019; and 11,275 EUR in 2020. The subject's mother-in-law also pointed out that only a part of this money had been transferred to the Republic of Moldova via financial institutions. Another part had been brought by her husband to the Republic of Moldova in cash over several visits.
57. Moreover, the subject also presented a written statement by E. F., an Italian national and daughter of M. R. (deceased in December 2017), dated 14 July 2025, who declared that from March 2013 to December 2017, the subject's mother-in-law had been employed by E. F. and her brother to take care of M. R., who required constant (nearly 24/7) supervision, the monthly pay being 4,500 EUR.
58. Given the statements by the subject's mother-in-law and E. F., the Panel considers plausible the subject's assertion that at least from March 2013 to December 2017, his mother-in-law earned more in Italy than reflected in her official income certificate (254,000 EUR as opposed to 50,366 EUR). In light of presented evidence, the Panel concludes that the difference between the amount of 172,700 EUR sent by the subject's parents-in-law between 2012 and May 2020 and the official income of 81,364 EUR for the same period could reasonably be explained by additional unofficial income received by the subject's mother-in-law in Italy.
59. Accordingly, the Panel concludes that the subject has mitigated the doubts regarding the source of funds for the purchase of an apartment in 2020 by the subject's father-in-law.

VI. Conclusion

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

VII. Further Action and Publication

61. 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.
62. 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.
63. 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) lit. 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).
64. Pursuant to art. 17 para (2) of Law No. 252/2023, this evaluation report was approved unanimously by the evaluation Panel on 8 August 2025 and signed by the Chairperson of the Commission.
65. Done in English and Romanian.

Signature:



Christopher LEHMANN
Chairperson
Prosecutor Vetting Commission