PROSECUTOR VETTING COMMISSION

Evaluation Report No. 11 of 22 September 2025
on Mihail IVANOV, prosecutor, Anti-Corruption Prosecution 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 8 August 2025 and approved this report on 22 September 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 A prepared the following evaluation report.

I. Introduction

1. This report concerns the subject of evaluation Mihail IVANOV, prosecutor, Anti-Corruption Prosecution 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 Mihail IVANOV meets the ethical and financial integrity criteria identified in Law No. 252/2023.

II. Subject of the Evaluation

4. Mihail IVANOV ("the subject") was appointed as a prosecutor in the Military Prosecutor's Office on 9 April 2009. On 2 November 2010, he was appointed as a prosecutor in the APO. On 24 October 2022, the subject was appointed as Interim Deputy Chief of the APO and held this position until April 2023. Since September 2023, Mihail IVANOV is also the Liaison Prosecutor for Moldova at Eurojust.

III. Evaluation Criteria

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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 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

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

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 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 unjustified 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. Mihail IVANOV 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 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 11 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 by email the subject 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 evaluation included 2012-2023 (*unjustified 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. 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, 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. One complaint was received 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, and ethics questionnaire and collected information, those issues were raised in written questions with the subject.

26. On 24 January 2025, the Panel asked the subject to provide additional information by 7 February 2025 to clarify certain matters (hereinafter the "first round of questions"). The subject provided answers and documents within the set deadline. On 18 April 2025, the Panel asked the subject to provide additional information by 29 April 2025 to clarify certain matters (hereinafter the "second round of questions"). The subject provided answers and documents within the set deadline. The subject sent additional information and documents on his own initiative on 12 May 2025. On 4 June 2025, the Panel asked the subject to provide additional information by 12 June 2025 to clarify certain matters (hereinafter the "third round of questions"). On 5 June 2025, the subject requested an extension to the set deadline by 18 June 2025, due to his annual leave during 8 – 11 June 2025, including abroad. The Panel granted the subject an extension to provide answers by 18 June 2025. The subject provided answers and documents within the set deadline. On 1 July 2025, the Panel asked the subject to provide additional information by 8 July 2025 to clarify certain matters (hereinafter the "fourth round of questions"). The subject provided answers and documents within the set deadline, on 7 July 2025.

27. On 18 July 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 29 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. On 18 July 2025 the subject requested the postponement of the hearing to 8 August 2025, due to his annual leave during 21 July – 1 August 2025, including abroad. The Panel approved the subject's request and set the hearing for 8 August 2025.

28. Following the subject's request, on 30 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 8 August 2025, the subject took part in a public hearing of the Panel. The subject sent additional information and documents on his own initiative on 8 August 2025, prior to the hearing.

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.

V. Analysis

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

32. Based on the information it collected, the Panel analyzed and, where necessary, sought further clarifications from the subject on the following matters:

- The involvement of the subject in two cases that led to applications before the ECtHR
- Disciplinary proceedings and two criminal cases against the subject
- Purchase, presented as donation, of two cars by the subject and his wife
- Donations from parents during 2012 - 2014

33. The first two issues listed above were mitigated before the hearing, while the last two issues were discussed at the hearing.

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

Issue 1. The involvement of the subject in two cases that led to applications before the ECtHR

34. According to the information available to the Panel, the subject was involved in some acts that are referred to in the ECtHR decision *Navrotki v. the Republic of Moldova*, No. 65953/11, 28 June 2016.[2]

35. The applicant complained under Article 3 of the Convention about lack of medical assistance and under Article 5 of the Convention about lack of relevant and sufficient reasons for his remand in custody and about the fact that the rights of the defense were breached during the proceedings concerning his remand in custody.

36. As a result of the friendly settlement reached between the ECtHR and the Moldovan Government, the ECtHR decided to strike the application out of its list of cases in accordance with Article 39 of the Convention. According to the conditions of the friendly settlement, the applicant agreed to waive any further claims against the Republic of Moldova in respect of the facts giving rise to his application against an undertaking by the Government to pay him 3,500 EUR to cover any pecuniary and non-pecuniary damage as well as costs and expenses.

[2] Available at: https://hudoc.echr.coe.int/eng?i=001-165557.

37. According to materials obtained from the Governmental Agent, the subject had requested the extension of the applicant's remand in custody in August 2011 and then, in September 2011, was repeatedly opposed to the replacement of this coercive measure. The Panel determined that the subject's actions took place in 2011, before the ten-year period provided by art. 11 para. (2) lit. a) of Law No. 252/2023. For this reason, the Panel did not pursue this issue further.

38. According to the information available to the Panel, the subject was also involved in some acts that are referred to in the ECtHR judgment *Muradu v. the Republic of Moldova*, No. 26947/09, 19 January 2021.[3]

39. Relevant to subject's actions in the case, the applicant complained that he had been ill-treated while in police detention and held in inhuman conditions. Moreover, the applicant stated that the investigation into his complaint about ill-treatment had been inefficient, contrary to the requirements of Article 3 of the Convention, both under its procedural and substantive aspect. The ECtHR decided that there has been a violation of Article 3 of the Convention in respect of both its substantive and procedural limbs.

40. According to materials obtained from the Governmental Agent, in April 2009, the subject was assigned to investigate the applicant's allegations of ill-treatment. The applicant alleged that several policemen ill-treated him. In June 2009, the subject decided not to start a criminal investigation concerning the alleged ill-treatment of the applicant. For the ECHR, it was unclear what prevented the authorities, during the initial year of the investigation, from carrying out a comprehensive list of investigative actions. In December 2011, the Deputy Prosecutor General annulled the subject's ordinance from June 2009 and started a criminal investigation into the applicant's ill-treatment. In August 2012, the prosecutor in charge of the case suspended the investigation, having found that all possible investigative actions had been taken. In May 2018, the Deputy Prosecutor General annulled the ordinance of August 2012 and ordered the continuation of the investigation. In March 2019 the investigation was suspended again.

41. The Panel determined that the subject's actions took place in 2009, before the ten-year period provided by art. 11 para. (2) lit. a) of Law No. 252/2023. For this reason, the Panel did not pursue this issue further.

Issue 2: Disciplinary proceedings and two criminal cases against the subject

Complaints and disciplinary proceedings:

42. The Commission was informed by the SCP about the existence of seven disciplinary proceedings concerning the subject, which were initiated during 2019 - 2024, out of which three were discontinued by inspectors in the Prosecutor's Inspection;[4] one is pending before the Discipline and Ethics Board;[5] one was finalized by the Discipline and Ethics Board

[3] Available at: https://hudoc.echr.coe.int/eng?i=001-207410.
[4] Proceedings initiated on the basis of the following complaints: (1) November 2019 – attorney V. Malai on behalf of O. Fedoruță; (2) February 2023 – N. Golubenco on behalf of "Galsan-Service" SRL; (3) November 2023 – V. Olievscaia.
[5] Proceedings initiated on the basis of complaints submitted by V. Bîrlad in October 2023 and June 2024. An inspector in the

(after it was discontinued by an inspector in the Prosecutor's Inspection);[6] and two were finalized by the SCP (after the challenges against the Discipline and Ethics Board's decisions to discontinue disciplinary proceedings were dismissed).[7]

43. The Panel analyzed all available materials and asked the subject for additional clarifications and information in connection to some of these disciplinary proceedings. The Panel concluded that none of the facts referred to in the seven disciplinary procedures raised ethical violations in light of art. 11 para. (2) of Law No. 252/2023.

44. The Panel notes that the Commission received one complaint regarding the subject from a member of civil society. The complaint did not provide sufficient identifiable information to conclude on any serious violation in light of the ethical integrity criterion provided by art. 11 para. (2) of Law No. 252/2023.

Criminal case No. 1:

45. A criminal case against the subject was initiated on 26 August 2020 by the Prosecutor General for alleged disclosure of criminal investigation materials to civil parties in a case that he investigated, after the criminal investigation was resumed (art. 315 para. (2) of the Criminal Code).

46. In particular, the subject was accused of presenting, during the days of September 2-3, 2019, in full, the criminal case file to civil parties A.B., O.B., and R.I., which contained personal data of the defendants, as well as information about wiretapped phone conversations. At the same time, the subject was accused of presenting information from this criminal case that was used for a journalistic investigation.[8]

47. On 28 September 2021, criminal proceedings against the subject were discontinued because no crime elements were found in his actions. The criminal investigation regarding the subject was closed mainly because there was no direct evidence that the subject has intentionally disclosed criminal investigation materials while the investigation was on-going.

48. The Panel examined the disciplinary complaints related to the same actions as indicated in the ordinance for the initiation of this criminal case, as well as addressed questions for clarification to the subject. The subject provided timely and detailed explanations of his actions, in particular regarding the fact that he was not aware that the criminal investigation

Prosecutor's Inspection discontinued the proceedings in September 2024. This decision was challenged by V. Bîrlad before the Discipline and Ethics Board.

[6] Proceedings initiated on the basis of a complaint submitted by attorney V. Ciobanu on behalf of S. Șeptelici in October 2019.

[7] Proceedings initiated on the basis of the following complaints: (1) prosecutor A. Mircos – January, February, and March 2020; prosecutor A. Pascari – March 2020; prosecutor I. Caracuian – March and December 2020, March 2021 (these complaints were joined into a single procedure); (2) "Solomon Construct Imobil" SRL – February 2022.

[8] "Public trial" in the case of the 1.5 million lei bribe in the justice system. Accusations of blackmail, new revelations, and documents, 28 May 2020, https://www.zdg.md/importante/video-proces-public-in-dosarul-mitei-de-15-milioane-de-lei-din-justitie-acuzatii-de-santaj-dezvaluiri-noi-si-documente/

was re-opened while he was on leave and he had provided the criminal investigation materials, having in mind his prior ordinance of closing the criminal investigation.

49. The subject explained and the Panel agreed that civil parties A.B., O.B., and R.I., who had access to the case materials, also had the status of injured parties, and therefore had the legal right to have access to all case materials, not just those relating to the civil action (as mentioned in the ordinance to initiate criminal proceedings against the subject).

50. The Panel concluded that there is no ethical violation in light of art. 11 para. (2) lit. a) of Law No. 252/2023 in the subject's actions that led to the initiation of this criminal case.

Criminal case No. 2:

51. A criminal case against the subject was initiated on 11 March 2020 by the Prosecutor General for alleged coercion of three defendants[9] to file statements and enter plea agreements (art. 309 of the Criminal Code). One of the defendants was convicted in 2019 in a disjoined case (the conviction became final because it was not appealed). His request for retrial was finally rejected on 29 April 2025 by the Centru Court of Appeal. The criminal case against the other two defendants is pending before the first instance court.

52. On 28 September 2021, criminal proceedings against the subject were discontinued because no criminal elements were found in his actions. The criminal investigation regarding the subject was closed mainly because there was no evidence of coercion allegedly applied by the subject.

53. Based on the analysis of all available documents and the subject's arguments on this case, the Panel concluded that there is no ethical violation in light of art. 11 para. (2) lit. a) of Law No. 252/2023 in the subject's actions that led to the initiation of this criminal case.

Issue 3: Purchase, presented as donation, of two cars by the subject and his wife

54. The Panel noted that during the evaluation period the subject twice used a sales-purchase contract instead of a donation for the transfer of two cars, one from his father to him and one from his mother-in-law to his wife. These incidents raise ethical issues in particular because the subject is a legal professional and because it happened twice in a relatively short period of time.

55. According to the subject, the car model Mercedes C200, m/y 2004 was bought by his father in 2011, and since 2014 the subject has used this car. The subject declared the right to use of this car in his annual declarations starting with 2014. In 2020, this car was sold to the subject by his father for a price of 1,000 MDL. The subject explained in reply to the Panel's written questions (R1Q20, R3Q1) that in fact the father donated the car to him but when they went to the Car Registration Office to transfer the right of property over the car, they were informed that handwritten donation contracts were not accepted, only notarized ones. To avoid the notary fees and waste time, the subject concluded a sales-purchase contract

[9] Two prosecutors and a police officer charged with corruption.

with his father using a standard sales-purchase contract form provided by the Car Registration Office in which the amount of 1,000 MDL was included, where the subject added the note "donation". The subject sold this car in December 2020 (nine months after the “sales-purchase” of the car) for a price of 6,500 EUR (est. 128,310 MDL). No capital gain tax was paid on the sale of this car in 2020. The Panel determined that a capital gain tax of 7,638 MDL (12%) would have been necessary to be paid if calculated based on the sales-purchase contract with the purchase price of 1,000 MDL.

56. The car model Nissan Qashqai, m/y 2008, was the subject’s mother-in-law since 2017, and she granted her daughter (wife of the subject) the bailment rights to use the car occasionally. The Panel analyzed the sources of funds of the subject’s parents-in-law to purchase this car and concluded that they had sufficient funds to buy this car. At the same time, the analysis of the use of the car indicates the de facto beneficial ownership over this car by the subject’s family (particularly because the subject’s mother-in-law did not have a driving license until 2021).

57. The subject included in his annual declarations the right to use this car, starting with 2017. According to the subject (R1Q23), the car broke down and was donated in April 2021 to his wife by his parents-in-law in order for the subject’s family to repair the car, sell it and buy the subject’s wife another car in a good technical condition. As was the case with the father’s Mercedes, a standard sales-purchase contract form was used for the transfer, with a sales price of 7,000 MDL and a note "donation". The subject’s wife sold this car In June 2021 (in two months from the sales-purchase of the car) for the price of 181,000 MDL. The Panel determined that a capital gains tax of 10,440 MDL (12%) would have been necessary to be paid if calculated based on the sales-purchase contract of 7,000 MDL.

58. When asked about the failure to pay capital gains tax, a total amount for both cars of 18,078 MDL, the subject explained that he did not have the legal obligation to pay the taxes because both cars were received as donations, referring to art. 40 para. (5) of the Fiscal Code. He presented written statements from the Car Registration Office confirming that in both cases the parties had agreed on a donation, but, in fact, standard sales-purchase contract forms were used at the insistence of the representatives of the Car Registration Office. The subject also presented information on the value of both cars at the sales date, issued by an independent evaluator, which was slightly higher than the sales price, thus excluding the obligation to pay the capital gain tax.

59. The subject was asked at the hearing if he sees any ethical issues in the use of fictitious sales-purchase contracts instead of a donation. The subject repeated the arguments he presented in reply to Panel’s written questions on this issue. Summing up his answers, he explained that he did not intend to hide the donations but ended up using sales-purchase contracts instead of donation contracts for bureaucratic reasons, because the Car Registration Office did not accept donation contracts that were not notarized. The subject and his wife (regarding the second car) chose to indicate “donation” in the standard sales-purchase contracts. With regard to the second car (the wife’s) there was, in the sales price, a strikethrough with a pen, which the subject considers to be a sufficient indication that it was a donation and not a fictitious sales-purchase contract. He also indicated that both due

to the nature of the mode of acquiring the property over the two cars – through donation, as well as based on the evaluations provided to the Panel in reply to written questions, he and his wife did not have the legal obligation to pay capital gain taxes upon the sales of the two cars.

60. The Panel considers that the use of a fictitious sales-purchase contract in place of a donation contract by a legal professional, solely for reasons of avoiding bureaucratic requirements and saving time raises an ethical issue in light of art. 6.3.1. of the 2016 Code of Ethics of Prosecutors (*the prosecutor must respect the highest standards of integrity and responsibility to ensure society's trust in the Prosecutor's Office*). The Panel stresses that the legal professionals, including prosecutors, have higher ethical standards than other citizens and they should act as examples for ordinary citizens. It is hard to expect citizens to respect the law when legal professions, including prosecutors, choose fictitious contracts for efficiency reasons.

61. Although the Panel considers that the use of fictitious sales-purchase contracts rather than donation contracts in these two instances raises ethical issues regarding the subject's conduct, the Panel concluded that this conduct does not raise to the high threshold of a serious violation of the rules of ethics and professional conduct under art. 11 para. (2) lit. a) of Law No. 252/2023, warranting dismissal from office and other negative effects for the subject.

62. As to the potential tax irregularities committed by the subject by failing to pay capital gain taxes on the two cars, the Panel notes that even if the subject's arguments are not accepted, the maximum amount that the subject might have failed to pay was of 18,078 MDL, which is far below the 58,500 MDL required under art. 11 para. (3) lit. b) of Law No. 252/2023 for failing the evaluation.

63. In light of the above, the Panel must conclude that in relation to the issue of the purchase instead of donation of the two cars, the subject meets the criterion of ethical integrity under art. 11 para. (2) lit. a) and of financial integrity under art. 11 para. (3) lit. b) of Law No. 252/2023.

Issue 4: Donations from parents for 2012 – 2014

Significant donations during the evaluation period:

64. According to the information accumulated by the Panel, the total income of the subject and his wife for the evaluation period of 2012 – 2023 was 7,255,023 MDL. The subject declared in the annual declarations of income / wealth and personal interests submitted to National Integrity Commission ("NIC") / NIA the total amount of 2,447,888 MDL (in different currencies) as donations received during the evaluation period of 2012 – 2023. These donations were declared as having been received from the subject's parents, the subject's parents-in-law, the subject's brother-in-law and from family events like wedding ceremony, child christening events and birthday occasions. The subject provided detailed explanations regarding the scope and context of these donations, as well as information and confirmatory

documentation on the sources of income of those that made the most substantial donations. The subject's consistent and detailed explanations and documentation mitigated the Panel's doubts regarding the donations prior to the hearing. The Panel was not convinced about the declared donations from the subject's parents for 2012 – 2014, which were discussed at the hearing.

Donations from parents declared in 2012 – 2014:

65. The subject declared the following donations from his parents for the period 2012 - 2014: 14,026 EUR in 2012 and 2013 (for payment of two installments to Basconslux company for the subject's apartment, purchased for a preferential price from the SCP program: 9,640 EUR in 2012 and 4,386 EUR in 2013); 3,000 USD (est. 2,180 EUR[10] as wedding gift) and 100,000 MDL (est. 5,400 EUR for the organization of the subject's wedding) in 2014. In response to the notice of hearing and during the hearing, the subject explained that he committed a mistake in the 2012 annual declaration, where he included three installments paid for his apartment, one paid on 11 May 2011 of 3,501 EUR (57,218 MDL) and two paid in 2012, of 6,130 EUR (93,030 MDL) in total (2,630 and 3,500 EUR). The subject referred to the copies of the payment slips presented to the Panel in response to the first round of questions. The Panel accepted the subject's explanation, which was duly confirmed by documentation that indicates that the subject paid only 93,030 MDL (est. 6,130 EUR) in two installments in 2012, and in 2011 he paid 57,218 MDL (est. 3,501 EUR). Hence, in total, the subject received the amount of 18,096 EUR[11] as donations from his parents during 2012 – 2014.

66. According to the information available to the Panel, the subject's parents had a total official net income of 199,664 MDL (est. 11,745 EUR) in the period 2012 - 2014:
    - 2012 - 45,154 MDL (father) + 9,825 MDL (mother) (est. 3,532 EUR),
    - 2013 - 62,562 MDL + 10,557 MDL (est. 4,373 EUR) and
    - 2014 - 60,316 MDL + 11,250 MDL (est. 3,841 EUR).

67. The Consumption Expenditure for Population (CEP)[12] for the subject's parents for the same period (2012 - 2014) was 164,018 MDL (52,174 MDL in 2012, 55,656 MDL in 2013 and 56,184 MDL in 2014). These data indicate that the parents did not have sufficient funds to cover the declared donations by the subject in 2012 – 2014 from the official income for this period. The Panel received information on the parent's official income for the period 2001 - 2011, which amounted to 336,063 MDL (est. 20,579 EUR). The Panel notes that only for 2006[13] – 2011, the CEP costs for his parents amounted to 252,815 MDL (est. 15,481 EUR). The Panel concludes that the total official income received during 2001 – 2011 is not

[10] All currency conversions are made at the National Bank of Moldova average exchange rate for the year in subject, unless specified otherwise.
[11] 21,606 EUR were declared and included in the notice of hearing, out of which the amount of 3,510 EUR that was paid in 2011 was deducted.
[12] The consumption expenditures for Population (CEP) are determined and published on annual basis by the National Bureau of Statistics (NBS). The exact amount per subject of evaluation is calculated by the Commission using the NBS data, taking into account the number of family members, residence area (rural or urban). The urban media and two family members were used as indicators for these calculations.
[13] The NBS statistical database does not provide data prior to 2006.

sufficient to make such significant savings as to fully cover the amount of 18,096 EUR donated to the subject in 2012 - 2014.

68. Asked about the sources of funds for the 2012 - 2014 donations from parents, the subject (R2Q5) explained that both of his parents received both official and unofficial income and his mother received a disability pension including while working.[14] Relevant for the 2012 – 2014 period is a certificate from the STS that indicated that on 1 January 2012 the subject's father had the amount of 607,000 MDL (est. 38,413 EUR according to the conversion rate at the date of submitting the declaration) in cash (456,340 MDL available at the date of submitting the declaration and 150,660 MDL as receivables). The declaration on the availability of cash was submitted by the subject's father to the STS on 22 November 2012. This amount was declared by his father in the context of fiscal amnesty law.[15]

69. Under art. 226^7 of the Tax Code (as in force on 1 January 2012), an individual that had available 500,000 MDL or more on 1 January 2012 was required to submit a "Declaration on the availability of funds on 1 January 2012" (fiscal amnesty declaration) to tax authorities (art. 226^7 para. (1) of the same law). Only in the circumstances where this sum exceeded 1,000,000 MDL was the individual required to provide any proof of the availability of such a sum and, only implicitly, of its origin (art. 226^7 paras. (1) and (4) of the Tax Code). In accordance with art. 226^7 para. (3) of the Tax Code, no taxes were to be paid on the sums declared.

70. The Panel concludes, similarly with the practice of the Judicial Vetting Commission (see Ion Buruiană evaluation report under Law No. 65/2023, from 1 October 2024, paras. 101-102;[16] Mariana Ursachi evaluation report under Law No. 65/2023 from 5 November 2024, paras. 178-181;[17] Gheorghe Stratulat evaluation report under Law No. 65/2023 from 12 June 2025, paras. 35-39[18]) that a fiscal amnesty declaration does not, in itself, constitute sufficient evidence of the existence or the legality of the declared funds. For such amounts to be accepted, they must be corroborated by supporting documentary evidence. Consequently, the Panel requested additional information from the subject on his parents' income, both in written questions and discussed this issue at the hearing.

71. The subject presented his father's written statement that explained that he has worked since 1990 in the construction sphere, at Construction Department 40, "Consind-Prim" SA, as inspector for personnel and in parallel as typist, and that between 1997 and 2001 he received additional income for typing and translating construction estimates done by his boss at that time, who did not speak Romanian. He also explained that his wife received income from selling cosmetic products of a foreign company and headscarves also imported from

[14] As noted above, the panel established that the total amount of the pension received by the subject's mother in the period 2012 – 2014 was 31,632 MDL and included this amount in calculating the subject's parents' official income for 2012 – 2014.
[15] See Law No. 178/2012 amending articles 226^1 and 226^7 of the Tax Code.
[16] Report in English available at https://cdn.prod.website-files.com/65dc9c889b671cd4987c7b51/6627b50ba633cf2458c647d6_BURUIANA%20EN.pdf
[17] Report in English available at https://cdn.prod.website-files.com/65dc9c889b671cd4987c7b51/674f2e8d79b71367e4edc18c_Mariana_Ursachi%20(Pitic)_report_ENG.signed.pdf
[18] Report in English available at https://cdn.prod.website-files.com/65dc9c889b671cd4987c7b51/6895c3d116fabc23c1083998_Gheorghe_Stratulat_Report_ENG.pdf

abroad. Since 2005, he started working for a municipal company on capital constructions, which was to be reorganized according to a decision of the Chisinau Municipal Council of 5 March 2009. In the fall of 2012, the accountant of that company informed him that they were supposed to work together to prepare the documentation for the implementation of the 2009 decision and that the employees may become public officials. In this contest, the subject's father decided to declare the funds accumulated by him and his wife to the fiscal authorities in order to avoid questioning on legitimate income from the NIC (predecessor of NIA). The subject also presented a written statement of a colleague of his father that worked at the same company, "Consind-Prim" SA, since 1995 and confirmed that the subject's father received unofficial income for typing and translating construction estimates made by their boss at the relevant time. The subject also presented a written statement from his mother's cousin, who confirmed that between 1994 and 1999 she purchased in Riga cosmetics products and headscarves and delivered them to the subject's mother for sale in Moldova because the latter had no job during that period.

72. At the hearing, the subject was asked if he could explain why the discussions on the reorganization of the company where his father worked started only in 2012, as explained by his father in the written statement submitted by the subject, while the decision on reorganization had been taken on 5 March 2009. The subject explained that to his knowledge implementation of such decisions was usually delayed. The Panel notes that according to Court of Accounts decision No. 37/2012 of 31 July 2012[19], in 2012 the Chisinau Municipal Council Decision of 5 March 2009 on reorganization of municipal company "Department capital constructions" to "General Department Capital Investments" had not been executed (recommendation no. 16 in the Court of Accounts Decision). This information confirms the plausibility of the explanations provided by the subject and his father both regarding the timing and the rationale for submitting the fiscal amnesty declaration.

73. The Panel notes that the subject's father submitted the fiscal amnesty declaration on 22 November 2012, indicating that on 1 January 2012 he had available 607,000 MDL (est. 38,413 EUR). At the same time, the Panel notes that the subject declared that he received 57,218 MDL / est. 3,510 EUR in 2011 from his father (to pay for his apartment's first installment) and that the subject's father bought a car in 2011 (Mercedes C200, m/y 2004). Hence, the subject was asked at the hearing to clarify if the amount declared by his father in January 2012 included these costs. The subject explained that his father declared the amount he had on 1 January 2012, which means the costs incurred in 2011 were covered by additional funds held by the subject's father. The subject was also asked if the two installments for his apartment paid on 17 January 2012 and 26 June 2012 (a total of est. 6,130 EUR), also from the donations from his father, were incurred from additional sources since the fiscal amnesty declaration was submitted on 22 November 2012. The subject explained that they should have been included in the amount declared by his father in the fiscal amnesty declaration, since he indicated there the amount as of 1 January 2012, not as of 22 November 2012.

[19] Court of Accounts decision No. 37/2012 of 31 July 2012 available in Romanian at: https://www.legis.md/cautare/getResults?doc_id=49699&lang=ro.

74. The Panel notes that the subject has not presented any other supporting documents on the unofficial income received by his parents to confirm the existence and the sources of the amount declared by his father in the fiscal amnesty declaration submitted in 2012 except for the written statements signed by the subject's father, mother and colleague from his father's previous working place. At the same time, the Panel notes that the explanations provided by the subject regarding his father's workplace and the nature of work coincide with the information received from the STS, which is an indicator for the credibility of the subject's explanations. The Panel further notes that the publicly available decision of the Court of Accounts on the municipal enterprise where the subject's father was working indicates that it had not been reorganized by the end of 2012, also confirming the plausibility of the explanations provided by the subject. The Panel notes that the subject has declared the donations received from his parents in the annual declarations submitted for the years 2012 – 2014 and the Panel has not identified any inconsistencies in this regard. Lastly, the Panel also notes that although the total amount of 18,096 EUR declared as received from the subject's parents for 2012 – 2014 is a substantial amount, this amount in itself does not create a negative balance as per the threshold provided by art. 11 para. (3) lit. a) under Law No. 252/2023 to lead to the subject's failure of extraordinary evaluation. Consequently, the Panel accepted the plausibility of availability of the declared cash by the subject's father, with the source of funds his father's unofficial translation and typist services, which were enough to cover the declared donations of 18,096 EUR by the subject for 2012 – 2014.

75. The Panel also notes that according to the information collected by the Panel on the subject's income and expenses for the years 2012 - 2014, if the donations declared by the subject from his father in the total amount of 18,096 EUR are excluded, there would be unjustified wealth (difference between expenses and income) of the subject's household in the total amount of 157,767 MDL. The Panel notes that in the notice of hearing the subject was informed of a potential negative balance of 174,275 MDL. The Panel took into account and accepted the explanations and documentary evidence submitted by the subject on his own initiative on the day of the hearing (8 August 2025), and:

- deducted the amount of 3,510 EUR paid by the subject in 2011 for his apartment, mistakenly declared by the subject for 2012;
- added additional income in the amount of 4,309 MDL received by the subject in 2012 – 2014 as temporary work incapacity;
- added additional income in the amount of 12,198 MDL (net amount) received by the subject in 2012 – 2014 as financial aid from the employer.

76. The Panel notes that, even if the Panel had not accepted the fiscal amnesty declaration submitted by the subject's father in 2012 as evidence for the source of funds for the declared donations during 2012 – 2014 of 18,096 EUR, the negative balance for the years 2012 – 2014 in the subject's income and expenses would only amount to 157,767 MDL, which is below the threshold of 234,000 MDL under art. 11 para. (3) lit. a) of Law No. 252/2023.

77. In light of the above, the Panel concludes that in relation to the issue of donations from parents in 2012 – 2014, the subject meets the criterion of ethical integrity under art. 11 para. (2) lit. a) and of financial integrity under art. 11 para. (3) lit. b) of Law No. 252/2023.

78. The Panel unanimously concluded that it has no serious doubts about the compliance of the subject with the criteria of financial and ethical integrity as per art. 11 paras. (2) and (3) of Law No. 252/2023.

VI. Conclusion

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

VII. Further Action and Publication

80. 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.

81. 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.

82. 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).

83. Pursuant to art. 17 para (2) of Law No. 252/2023, this evaluation report was approved unanimously by the evaluation panel on 22 September 2025 and signed by the Chairperson of the Commission.

84. Done in English and Romanian.

Signature:

Digitally signed by Lehmann Christopher Geoffr
Date: 2025.09.25 09:34:40 EDT
Reason: MoldSign Signature
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MOLDOVA EUROPEANĂ

Christopher LEHMANN
Chairperson
Prosecutor Vetting Commission