

**Evaluation Report No. 13 of 14 November 2025  
on Irina CATAN, prosecutor,  
formerly delegated to the Anti-Corruption 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 on 17 October 2025 and approved this report on 14 November 2025.

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

*Virginia MORARU – Panel's Chair  
Cornel LEBEDINSCHI  
Irmantas MIKELIONIS*

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

### **I. Introduction**

1. This report concerns the subject of evaluation Irina CATAN, prosecutor, formerly delegated to 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 Irina CATAN meets the ethical and financial integrity criteria identified in Law No. 252/2023.

### **II. Subject of the Evaluation**

4. Irina CATAN ("the subject") was appointed as a prosecutor in the Chişinău Municipality Prosecutor's Office on 5 November 2018. During 15 November 2021 – 1 July 2024, she was delegated 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 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<sup>1</sup>. 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 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

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

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 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. Irina CATAN 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 she 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 12 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 by email the subject that her evaluation file had been randomly assigned to Panel B with members Virginia MORARU (Panel’s Chair), Cornel LEBEDINSCHI, and Irmantas MIKELIONIS. The subject was informed that she 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. Since 2018, 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 subject, the Commission obtained information from numerous sources. The sources generally included the General Prosecutor’s Office (“GPO”), specialized Prosecutor’s 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, 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. 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 12 June 2025, the Panel asked the subject to provide additional information by 23 June 2025 to clarify certain matters ("first round of questions"). The subject provided answers and documents within the set deadline – on 22 June 2025.
27. On 7 July 2025, the Panel asked the subject to provide additional information by 17 July 2025 to clarify certain matters ("second round of questions"). On 8 July 2025, the subject requested an extension to the set deadline by 30 July 2025, citing personal reasons. The Panel granted the subject an extension to provide answers by 30 July 2025. The subject provided answers and documents within the set deadline – on 28 July 2025.
28. On 18 August 2025, the Panel asked the subject to provide additional information by 28 August 2025 to clarify certain matters ("third round of questions"). The subject provided answers and documents within the set deadline – on 28 August 2025.
29. On 11 September 2025, the Panel asked the subject to provide additional information by 19 September 2025 to clarify certain matters ("fourth round of questions"). The subject provided answers and documents within the set deadline – on 19 September 2025.
30. On 6 October 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 17 October 2025. The subject was informed that she could request access to the evaluation materials.
31. 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.
32. On 17 October 2025, the subject took part in a public hearing of the Panel.
33. At the hearing, the subject reaffirmed the accuracy of her answers in the five-year declaration and ethics questionnaire and stated that she did not have any corrections or additions to the answers she had previously provided to the Panel's requests for information.

## **V. Analysis**

34. This section discusses the relevant facts and reasons for the Panel's conclusion.
35. Based on the information it collected, the Panel did not find any issues that raised doubts as to the subject's compliance with the 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 were either mitigated or do not lead to failure under the thresholds set by Law No. 252/2023:**

***Issue 1. The source of funds for the purchase of a vehicle in 2020.***

36. According to the subject's annual declarations on assets and personal interests for 2020 and 2021 to the NIA, the subject possessed a 2017 Volvo XC60 ("vehicle"). The registered owner of this vehicle was declared to be the subject's mother, A.C.
37. As per the information obtained from the Customs Service, the vehicle was imported into the country by the subject's mother in 2020, the estimated customs value being 210,000 MDL. The customs duties amounted to 39,481 MDL and were paid by A.C.
38. In the first round of questions (R1, Q32), the Panel asked the subject to provide more information about the purchase of the vehicle, the source of funds for making the purchase, and the vehicle's beneficial owner. The Panel also asked the subject about her grounds to possess the vehicle.
39. In response to these questions, the subject explained that the vehicle had been bought by her parents, through an intermediary designated via a power of attorney. She added that the vehicle had been purchased in a damaged state at an auction in the United States of America "USA". The subject mentioned that her parents had been the vehicle's beneficial owners, and they allowed her to use the vehicle without a written agreement until it was sold in 2022. As source of funds, she indicated the following: her parents' savings, salaries, and income from selling crops and meat of the domestic animals that they raised.
40. In the second round of questions (R2, Q15), the Panel asked the subject to provide certain documents related to the purchase and import of the vehicle. She submitted, *inter alia*, the invoice of 8 July 2020, attesting to the sale of the vehicle for a net amount of 9,363 USD (162,156 MDL), and the power of attorney of 26 August 2020, by which the subject's mother gave R.T. the authority to transport and complete all customs and state registration procedures related to the vehicle on her behalf. The subject also highlighted that R.T. had arranged to repair the vehicle, for which he was paid by her parents, and that damage to the vehicle was relatively minor.
41. In the third round of questions (R3, Q4), the Panel asked the subject to provide more information and documents as regards the cost of buying the vehicle and importing it into the Republic of Moldova. The subject submitted, *inter alia*, the following documents: (1) confirmation from the bank that A.C. deposited 9,363 USD on her account; (2) confirmation of wire transfer of 9,363 USD from A.C. to the vehicle's seller, dated 8 July 2020; (3) invoice of 13 July 2020 on transportation of the vehicle from the USA to Germany for 1,950 USD (est. 33,778 MDL); (4) invoice of 31 August 2020 on unloading and transportation of the vehicle in Germany for 361 EUR (est. 7,136 MDL); and (5) invoice

of 4 September 2020 on transportation of the vehicle from Germany to the Republic of Moldova for 6,862 MDL.

42. In response to the same round of questions (R3, Q4), the subject also stated that her parents had paid R.T. 20,000 MDL for his help with arranging the transportation of the vehicle into the Republic of Moldova, completing the customs and registration procedures, and repairing the vehicle. Hence, based on the average exchange rate of the National Bank of Moldova ("NBM"), the equivalent in MDL of all expenses associated with the vehicle amounted to 269,412 MDL.
43. In the fourth round of questions (R4, Q1), the subject was presented with the Panel's doubts as to the purchase of the vehicle by her parents. The Panel established that, as per the database of the STS, during 2012 - 2020, the subject's parents had a total official income of 246,140 MDL. The Panel also took into account that during 2012 - 2020, the individual enterprise of the subject's father had a net income of 220,156 MDL. In regard to the amount of 1,312,873 MDL, which the subject had estimated as her parents' income during 2012 - 2020<sup>2</sup>, resulting from selling agricultural products, meat, and milk products (R2, Q20; R3, Q5-6), the Panel noted that the subject had not provided confirmatory documents. At the same time, the Panel established that during 2012 - 2020, her parents had expenses in the total amount of 1,692,031 MDL, which were comprised of expenses to buy land and another vehicle, as well as consumption expenditures for population ("CEP"), as determined by the National Bureau of Statistics ("NBS") for a household of two adults in rural areas. Consequently, even if the Panel were to accept the amount of 1,312,873 MDL as her parents' incoming cash flows during 2012 - 2020, there would be a financial misbalance for the subject's parents' household of at least 104,042 MDL in 2020.
44. In response to the fourth round of questions (R4, Q1), the subject submitted the documents requested by the Panel on the loans granted by her father to the individual enterprise founded by him, as well as on the reimbursements of these loans.
45. She also reiterated that her parents were the owners of the vehicle and that they had had sufficient funds to purchase it. She provided the Casco-type insurance policy for the vehicle, issued on 10 October 2020 for her mother and paid by the latter. In the same context, the subject explained that for several years before 2012, but also afterward, her parents had been heavily yet largely unofficially involved in agriculture, which allowed them to set money aside. Also, the subject stated that in 2013, her grandfather, A.D., who had also grown crops and raised livestock for a living, donated 350,000 MDL to her parents. Moreover, the subject stated that during 2016 - 2018, an uncle on her mother's side, V.D., donated, in several installments, an amount of 30,000 EUR to her parents as an expression of gratitude for their support throughout the years. In this respect, the subject submitted corroborative written statements by her parents and uncle. She also provided written statements by ten people who confirmed buying agricultural products from her parents on a regular basis. Moreover, the subject presented a sale and purchase contract, dated 31 August 2015, by which her uncle and his wife had sold land in Romania for 137,242 EUR,

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<sup>2</sup> The total income and expenses, as well as the negative balance presented in this para. as valid prior to receiving the subject's answers to the fourth round of questions.

attesting to the financial standing of her uncle, which would have allowed him to make that donation. While the Panel finds it doubtful that the income allegedly received by the subject's parents from agricultural activities and sale of agricultural products raises to the amounts provided by the subject, especially in the absence of sufficient confirmative documents, the Panel considers that the totality of other evidence, especially the donation from the subject's uncle, is enough to mitigate the doubts about the financial capacity of the subject's parents to purchase the vehicle. Hence, this issue was mitigated before the hearing.

## ***Issue 2. Disciplinary proceedings against the subject.***

46. The Commission was informed by the SCP about the existence of three disciplinary proceedings concerning the subject, which were initiated during 2019 - 2022, out of which one was discontinued by an inspector from the Prosecutor's Inspection<sup>3</sup>; one was finalized by an inspector from the Prosecutor's Inspection with a warning for the subject<sup>4</sup>; and one was finalized by the SCP (after the challenge against the Discipline and Ethics Board's decision to uphold the discontinuation of the disciplinary proceedings was dismissed<sup>5</sup>).
47. The Panel analyzed all available materials and concluded that the disciplinary proceedings initiated on the basis of the complaints submitted by Nester Samofalov and Alexandru Filip did not raise ethical issues in light of art. 11 para. (2) of Law No. 252/2023.
48. At the same time, in the second round of questions (R2, Q16), the Panel asked the subject for additional clarifications and information in connection to the disciplinary proceedings initiated on the basis of the complaint submitted by Petru Accibaş.
49. According to the materials of the disciplinary proceedings, on 16 March 2020, the subject refused to initiate a criminal investigation on account of a complaint presented by Petru Accibaş, who alleged that his former partner, A.G., had forged a number of documents. The complainant considered that in reaching this decision, the subject was insufficiently active and disregarded relevant evidence and facts, as did four other prosecutors before the subject, who had also issued orders to refuse the initiation of a criminal investigation, all of which were successively annulled.
50. The Panel notes that on 22 May 2020, the Interim Deputy Chief of the Chişinău Municipality Prosecutor's Office annulled the subject's refusal order, establishing that it was the result of an inadequate investigation. This contributed to the decision of the inspector from the Prosecutor's Inspection, dated 11 June 2020, not only to terminate the disciplinary proceedings against the subject, but also to caution her to duly discharge her duties.
51. In response to the second round of questions (R2, Q16), the subject explained, *inter alia*, that her decision to refuse the initiation of a criminal investigation into Petru Accibaş' forgery allegations were grounded in the fact they were linked to an ongoing civil dispute

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<sup>3</sup> Proceedings initiated on the basis of a complaint submitted by Nester Samofalov in February 2019.

<sup>4</sup> Proceedings initiated on the basis of a complaint submitted by Petru Accibaş in May 2020.

<sup>5</sup> Proceedings initiated on the basis of a complaint submitted by Alexandru Filip in April 2022.



between Petru Accibaş and A.G. According to the decision of the Supreme Court of Justice of 14 June 2023, the final one in this civil dispute, the court did not establish the use of forged documents by A.G. Moreover, the Panel did not identify a criminal case against A.G. on the National Courts' Web Portal.

52. Although the subject's explanations on this matter are sensible, given the annulment of four preceding similar orders to refuse the initiation of a criminal investigation, the Panel considers that her handling of Petru Accibaş' complaint might reasonably raise problems under art. 6.1.1, 6.1.2, 6.1.4, and 6.1.6 of the Prosecutor's Code of Ethics, but it cannot amount to arbitrary conduct/acts in the sense of art. 11 para. (2) lit. a) of Law No. 252/2023. Thus, this issue was mitigated before the hearing.

## **VI. Conclusion**

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

## **VII. Further Action and Publication**

54. 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.
55. 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.
56. 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).
57. Pursuant to art. 17 para (2) of Law No. 252/2023, this evaluation report was approved unanimously by the evaluation panel on 14 November 2025 and signed by the Vice-Chairperson of the Commission.

58. Done in English and Romanian.

Signature:

Virginia MORARU  
Vice-Chairperson  
Prosecutor Vetting Commisison