

**Evaluation Report No. 29 of 29 April 2026
on Iulian DIACONU, 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 22 April 2026 and approved this report on 29 April 2026.

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, Panel A prepared the following evaluation report.

I. Introduction

1. This report concerns the subject of evaluation Iulian DIACONU, 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 Iulian DIACONU meets the ethical and financial integrity criteria identified in Law No. 252/2023.

II. Subject of the Evaluation

4. Iulian DIACONU (“the subject”) was appointed as an interim prosecutor at the Floresti District Prosecutor’s Office on 20 May 2005 and as a prosecutor at the same office on 22 March 2006. On 30 October 2008, the subject was transferred to the Balti Military Prosecutor’s Office. On 1 August 2013, he 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 determined that:
 - a) over the last five 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 criteria set out in art. 11 paras (2) and (3), the legal provisions in force when the relevant

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

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. Iulian DIACONU 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 the provisions of art. 3 para. (1) lit. e) and para. (3) of Law No. 252/2023.
19. On 24 May 2024, the Commission notified the subject of the initiation of his evaluation and requested that he complete and return 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 the subject by email that his evaluation file had been randomly assigned to Panel A, composed of 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 the 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 five, 10 and 12 years, respectively. Due to the end-of-the-year availability of the tax declarations and declarations on assets and personal interests, the financial criteria evaluation included 2012–2023 (*unjustified wealth*) and 2014–2023 (*tax irregularities*), as well as the income earned up to 2012 by the subject’s parents-in-law, pursuant to his request. The evaluation period for the ethical criterion includes the past five or 10 years calculated as per art. 24 para. (3) lit. b) of the Commission Rules.
23. During the last 12 years of the evaluation period, the subject was required to file declarations under Law No. 133/2016 on the declaration of assets and personal interests (“Law No. 133/2016”), as well as under 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 subject, the Commission obtained information from numerous sources. The sources generally included the 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 by the subject’s five-year declaration, ethics questionnaire and collected information, those issues were raised in written questions to the subject.
26. On 27 January 2026, the Panel asked the subject to provide additional information by 4 February 2026 to clarify certain matters (“first round of written questions”). The subject provided answers and documents within the set deadline, on 4 February 2026. On 4 March 2026, the Panel asked the subject to provide additional information by 11 March 2026 to clarify certain matters (“second round of written questions”). The subject provided answers and documents within the set deadline, on 11 March 2026. On 17 March 2026, the Panel asked the subject to provide additional information by 24 March 2026 to clarify certain matters (“third round of written questions”). On 18 March 2026, subject informed the Panel that he would be on an official study visit abroad during the period of 18–21 March 2026, based on an order issued by the Interim Prosecutor General and requested an extension of the deadline until 27 March 2026, which was granted by the Panel. The subject provided answers and documents within the extended deadline, on 27 March 2026.
27. On 9 April 2026, the Panel notified the subject that it had not identified in its evaluation any areas of doubt about the subject’s compliance with the integrity criteria and invited the subject to attend a hearing on 22 April 2026. The subject was informed that he could request access to the evaluation materials.
28. Following the subject’s request, on 22 April 2026, the subject was granted access to the evaluation materials according to art. 16 para. (5) lit. c) of Law No. 252/2023.
29. On 22 April 2026, 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 Panel’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:

- *Unjustified wealth in 2012, 2013, 2015 and 2020*
- *Disciplinary sanctions for behavior and acts outside the assessment period*

33. These issues were mitigated before 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. Unjustified wealth in 2012, 2013, 2015 and 2020

34. **Unjustified wealth in 2012.** According to information available to the Panel, the total incoming financial flow of the subject for 2012 amounted to 340,619 MDL, while the total outgoing financial flow amounted to 365,151 MDL, resulting in a negative balance of 24,532 MDL.
35. The subject's incoming financial flows in the 2012 calendar year included the following sources of income: cash savings at the beginning of the year in the amount of 148,026 MDL; the subject's net salary in the amount of 53,073 MDL, the subject's spouse net salary in the amount of 22,500 MDL, a monthly allowance for child care in the amount of 4,420 MDL, an allowance at childbirth in the amount of 2,600 MDL, and a bank loan in the amount of 110,000 MDL.
36. The outgoing financial flow consisted of the CEP², calculated for a household composed of two adults and two children living in an urban area, in the amount of 71,424 MDL, purchase of property located on A Street, Balti, in the amount of 232,515 MDL, repair works in the amount of 15,000 MDL, loan repayments in the amount of 21,202 MDL, as well as cash savings of 25,000 MDL and bank savings of 10 MDL held at the end of 2012.
37. The subject informed the Panel in written communication (R1Q14, R1Q31, and further elaborated in R3Q2) that the CEP applicable to his household should be reduced, arguing that approximately 70% of the family's food consumption was covered by in-kind support received from his mother. The subject submitted that this support consisted of agricultural

² 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 CEP for any year between 2006 - 2018 is calculated based on NBS methodology applied for the period of 2006 - 2018 (on the basis of "stable population" in the „discontinued series“) and the method available on the NBS site (ENG). In this case, the indicator of Consumption expenditures by population according to purpose of expenditures, number of children and area 2006-2018 is chosen with the following variables: Year - Consumption expenditures total – Area (Urban/Rural) – Number of children (if no children, without children is chosen) – Lei, average monthly per capita for one person. The generated result is multiplied by the number of family members and 12 calendar months. The CEP for any year between 2019 - 2023 is calculated based on NBS methodology and the method available on the NBS site (ENG). In this case, the indicator of Consumption expenditures by population according to purpose of expenditures, number of children and area 2019 - 2023 is chosen with the following variables: Year - Consumption expenditures total – Area (Urban/Rural) – Number of children (if no children, without children is chosen) – Lei, average monthly per capita for one person. The generated result is multiplied by the number of family members and 12 calendar months.

products obtained from her household and from lease arrangements (including with SRL AA and previously SRL N, such as vegetables, fruits, meat, oil, sugar, and other food items). On this basis, the subject proposed a recalculation of the CEP by reducing the “food products” subcategory by 70% and excluding entirely several other expenditure categories (including alcohol and tobacco, restaurants, transport, education, and leisure), ultimately asserting that the household’s annual consumption for 2012 should be reduced from 71,424 MDL to 40,947 MDL, thereby eliminating the identified negative balance.

38. The Panel analyzed the subject’s explanations, and concludes that there are no sufficiently justified grounds to reduce or adjust the CEP applicable to the subject’s household.
39. The documents provided confirm that the mother received agricultural products as lease payments; however, they do not demonstrate the actual volume, frequency, or proportion of goods transferred to the subject’s household, nor do they establish a reliable financial equivalent of such support over time. The subject confirmed the absence of any documentary records evidencing these transfers or their value. In these circumstances, the Panel cannot accept the proposed 70% reduction of food-related expenses, which appears to be based entirely on estimations rather than verifiable data.
40. In light of the above, the Panel concludes that the subject has failed to demonstrate, with sufficient evidentiary support, that the actual consumption level of his household materially deviated from the CEP benchmark. Accordingly, the Panel rejects the proposed recalculation advanced in R3Q2 and maintains the CEP in full for the purposes of the financial analysis.
41. Considering all the above, the total negative difference between wealth, expenses and income (unjustified wealth) in 2012 amounted to 24,532 MDL.

Table 1. Income and expenses table for 2012

Incoming financial flows (MDL)		Outgoing financial flows (MDL)	
Description	Amount	Description	Amount
Cash savings (at the beginning of the year)	148,026	Purchase of property located on A Street, Balti	232,515
Salary of the subject	53,073	Loan repayments	21,202
Salary of subject’s spouse	22,500	Consumption expenditures (CEP, urban average)	71,424
Bank loan	110,000	Cash and bank savings (at the end of the year)	25,010
Allowance	7,020	Repair works	15,000
TOTAL INCOME	340,619	TOTAL EXPENSES	365,151
		Balance: -24,532 MDL	

42. **Unjustified wealth in 2013.** According to information available to the Panel, the total incoming financial flow of the subject for the year 2013 amounted to 129,152 MDL, while the total outgoing financial flow amounted to 150,793 MDL, resulting in a negative balance of 21,641 MDL.
43. The incoming financial flow of the subject included the following: cash and bank savings carried over from the previous year in the amount of 25,010 MDL, a loan received from subject's brother in the amount of 5000 RUB, equivalent of 19,770 MDL, using the average exchange rate for 2013, a monthly allowance for child care in the amount of 3,581 MDL, and a consumer loan in the amount of 1,900 MDL.
44. The outgoing financial flow of the subject for 2013 consisted of the CEP , calculated for a household composed of two adults and two children in an urban area in the amount of 86,563 MDL, repair works in the amount of 10,000 MDL, vacation expenses in the amount of 5,000 MDL, loan repayments in the amount of 21,202 MDL, as well as cash savings of 25,000 MDL and bank savings of 13 MDL held at the end of 2013.
45. The subject informed the Panel in written communication (R3Q3), further building on his previous submissions (R1Q14 and R1Q31), that the CEP applicable to his household for the year 2013 should be reduced. The subject contested the CCP amount of 86,563 MDL calculated by the Panel, arguing that it was excessive and disproportionate to his family's modest standard of living. Similar to his arguments regarding 2012, the subject maintained that approximately 70% of the family's food consumption was covered by in-kind support received from his mother, consisting of agricultural products from her household and lease arrangements. On this basis, the subject proposed reducing the "food products" subcategory by 70% and excluding several other categories of expenditure (including alcohol and tobacco, transport, restaurants, leisure, and education), ultimately recalculating the CCP for 2013 at 51,821 MDL and asserting that no negative balance existed for that year.
46. The Panel analyzed the subject's explanations provided in R3Q3 and concludes that there are no sufficiently justified grounds to reduce or adjust the CEP applicable to the subject's household for the year 2013, for similar reasons as outlined above in para. 40 regarding the year 2012.
47. In light of the above, the Panel concludes that the subject has failed to demonstrate, with sufficient evidentiary support, that the actual consumption level of his household materially deviated from the CEP benchmark. Accordingly, the Panel rejects the proposed recalculation advanced in R3Q3 and maintains the CEP in full for the purposes of the financial analysis.
48. Considering all the above, the total negative difference between wealth, expenses and income (unjustified wealth) in 2013 amounted to 21,641 MDL.

Table 2. Income and expenses table for 2013

Incoming financial flows (MDL)		Outgoing financial flows (MDL)	
Description	Amount	Description	Amount
Cash and bank savings at the beginning of 2013	25,010	Cash and bank savings at the end of 2013	25,013
Subject's salary	78,891	CEP (Consumption Expenditure)	86,563
Allowances	3,581	Apartment repair expenses	10,000
Loan from I.D.	19,770	Vacation expenses	5,000
Loan from Easy Credit	1,900	Loan repayments	24,216
TOTAL INCOME	129,152	TOTAL EXPENSES	150,792
		Balance: -21,640 MDL	

49. **Unjustified wealth in 2015.** According to information available to the Panel, the total incoming financial flow of the subject for the year 2015 amounted to 168,011 MDL, while the total outgoing financial flow amounted to 227,171 MDL, resulting in a negative balance of 59,160 MDL.
50. The incoming financial flow of the subject included the following: cash and bank savings carried over from the previous year in the amount of 35,010 MDL, the subject's salary in the amount of 75,501 MDL, and the subject's spouse salary in the amount of 57,500 MDL.
51. The outgoing financial flow of the subject for 2015 consisted of the CEP , calculated for a household composed of two adults and two children in an urban area in the amount of 105,941 MDL, vacation expenses in the amount of 23,835 MDL, loan repayments in the amount of 52,323 MDL, as well as cash savings of 45,000 MDL, and bank savings of 72 MDL held at the end of 2015.
52. The subject informed the Panel in written communication (R3Q4) that the CEP applicable to his household for the year 2015 should be reduced. The subject contested the CCP amount of 105,941 MDL calculated by the Panel, arguing that it was excessive and disproportionate to his family's modest standard of living. Like his submissions for previous years, the subject maintained that approximately 70% of the family's food consumption was covered through in-kind support received from his mother, consisting of agricultural products obtained from her household and lease arrangements. In addition, the subject proposed excluding multiple expenditure categories, including alcohol and tobacco, transport, restaurants, leisure, education, and housing equipment, as well as invoking additional circumstances, such as one child spending approximately three months with grandparents and living costs and certain clothing expenses being covered by relatives. On this basis, the subject recalculated the CEP for 2015 at 57,623 MDL and argued that the remaining negative balance should be further reduced or eliminated.
53. The Panel analyzed the subject's explanations, and concludes that there are not sufficiently justified grounds to reduce or adjust the CEP applicable to the subject's household.

54. The documents provided confirm that the mother received agricultural products as lease payments; however, they do not demonstrate the actual volume, frequency, or proportion of goods transferred to the subject's household, nor do they establish a reliable financial equivalent of such support over time. The subject confirmed the absence of any documentary records evidencing these transfers or their value. In these circumstances, the Panel cannot accept the proposed 70% reduction of food-related expenses, which appears to be based entirely on estimations rather than verifiable data
55. In light of the above, the Panel concludes that the subject has failed to demonstrate, with sufficient evidentiary support, that the actual consumption level of his household materially deviated from the CEP benchmark. Accordingly, the Panel rejects the proposed recalculation advanced in R3Q4 and maintains the CEP in full for the purposes of the financial analysis.
56. Considering all the above, the total negative difference between wealth, expenses and income (unjustified wealth) in 2015 amounted to 59,160 MDL.

Table 3. Income and expenses table for 2015

Incoming financial flows (MDL)		Outgoing financial flows (MDL)	
Description	Amount	Description	Amount
Cash and bank savings at the beginning of 2015	35,010	Cash and bank savings at the end of 2015	45,072
Subject's salary	75,501	CEP (Consumption Expenditure)	105,941
Subject's spouse salary	57,500	Vacation expenses	23,835
		Loan repayments	52,323
TOTAL INCOME	168,011	TOTAL EXPENSES	227,171
		Balance: -59,160 MDL	

57. **Unjustified wealth in 2020.** According to information available to the Panel, the total incoming financial flow of the subject for the year 2020 amounted to 837,168 MDL, while the total outgoing financial flow amounted to 874,124 MDL, resulting in a negative balance of 36,956 MDL.
58. The incoming financial flow of the subject included the following: cash and bank savings carried over from the previous year in the amount of 500,023 MDL, the subject's salary in the amount of 278,990 MDL, a monthly allowance for childcare in the amount of 8,155 MDL, and the sale of a vehicle in the amount of 50,000 MDL.
59. The outgoing financial flow of the subject for 2020 consisted of the CEP , calculated for a household composed of two adults and two children in an urban area in the amount of 147,828 MDL, transfers to M.S, I.A and A.V. in the total amount of 1,490 MDL, purchase of a vehicle (Volkswagen Passat, produced in 2012) for the amount of 100,000 MDL, as

well as cash savings of 620,000 MDL and bank savings of 4,806 MDL held at the end of 2020.

60. The subject informed the Panel in written communication (R3Q5) that the CEP applicable to his household for the year 2020 should be reduced. The subject contested the CCP amount of 147,828 MDL calculated by the Panel, arguing that it was excessive and disproportionate to his family’s standard of living. Like his submissions for previous years, the subject maintained that approximately 70% of the family’s food consumption was covered through in-kind support received from his mother, consisting of agricultural products obtained from her household and lease arrangements. In addition, the subject proposed excluding multiple expenditure categories, including alcohol and tobacco, recreation and culture, restaurants, transport, and education. The subject further invoked the specific context of the COVID-19 pandemic, arguing that restrictions on mobility, education, and leisure activities significantly reduced actual household expenses. On this basis, the subject recalculated the CEP for 2020 at approximately 78,891 MDL and asserted that no negative balance existed.
61. The Panel analyzed the subject’s explanations and concluded that there are no sufficiently justified grounds to reduce or recalibrate the CEP applicable to the subject’s household for the year 2020.
62. The documents provided confirm that the mother received agricultural products as lease payments; however, they do not demonstrate the actual volume, frequency, or proportion of goods transferred to the subject’s household, nor do they establish a reliable financial equivalent of such support over time. The subject confirmed the absence of any documentary records evidencing these transfers or their value. In these circumstances, the Panel cannot accept the proposed 70% reduction of food-related expenses, which appears to be based entirely on estimations rather than verifiable data.
63. In light of the above, the Panel concludes that the subject has failed to demonstrate, with sufficient evidentiary support, that the actual consumption level of his household materially deviated from the CEP benchmark. Accordingly, the Panel rejects the proposed recalculation advanced in R3Q5 and maintains the CEP in full for the purposes of the financial analysis.
64. Considering all the above, the total negative difference between wealth, expenses and income (unjustified wealth) in 2020 amounted to 36,956 MDL.

Table 4. Income and expenses table for 2020

Incoming financial flows (MDL)		Outgoing financial flows (MDL)	
Description	Amount	Description	Amount
Cash and bank savings at the beginning of 2020	500,023	Cash and bank savings at the end of 2020	624,806

Incoming financial flows (MDL)		Outgoing financial flows (MDL)	
Subject's salary	278,990	CEP (Consumption Expenditure)	147,828
Allowance	8,155	Purchase price of vehicle (Volkswagen Passat)	100,000
Income from sale of vehicle (BMW 525)	50,000	Bank transfers (P2P)	1,490
TOTAL INCOME	837,168	TOTAL EXPENSES	874.124
		Balance: -36.956 MDL	

65. Based on the above analysis, the Panel concludes that for the years 2012, 2013, 2015 and 2020 the subject registered negative balances in a cumulative amount of 142,288 MDL representing unjustified wealth.

66. In light of the above, the Panel concludes that the cumulative amount of unjustified wealth does not exceed 20 average salaries per economy, as set for the year 2023 (234,000 MDL), established under art. 11 para. (3) lit. a) of Law No. 252/2023. The subject, therefore, meets the criterion of financial integrity.

Issue 2. Disciplinary sanctions for behavior and acts the outside assessment period

67. The Panel examined information concerning two disciplinary proceedings initiated against the subject in relation to his professional conduct as a prosecutor.

68. The first resulted in a disciplinary sanction of a severe reprimand, validated by the SCP in 2011. This case concerned the subject's conduct in connection with a traffic accident in March 2011, where, while being in a state of advanced alcohol intoxication and acting as an eyewitness, he initially provided misleading statements by falsely assuming responsibility for driving a vehicle involved in the accident, in order to support a colleague who was intoxicated. The disciplinary body established that the subject subsequently changed his statement and acknowledged the actual circumstances, explaining that he had been influenced by his colleague. This conduct was found to lack sincerity and objectivity, to discredit the image of the Prosecutor's Office, and to constitute a violation of the Prosecutor's Code of Ethics, for which the sanction of a severe reprimand was applied.

69. The second disciplinary proceeding resulted in a sanction of warning imposed by the SCP on 15 May 2014, following actions that occurred in 2013. This case concerned the manner in which the subject conducted a criminal investigation involving allegations of torture. The disciplinary body established significant deficiencies, including the failure to adopt a timely procedural decision regarding the legal status of the suspect, the continuation of preventive measures without a valid legal basis, and shortcomings in the administration of evidence, such as the failure to clarify contradictory forensic reports and to ensure the participation of the injured party in expert examinations.

70. Both disciplinary matters fall outside the evaluation periods provided by art. 11 of Law No. 252/2023. Therefore, the Panel concludes that the subject meets the criterion of ethical integrity under art. 11 para. (2) lit. a) of Law No. 252/2023.

VI. Conclusion

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

VII. Further Action and Publication

72. 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.

73. 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.

74. 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).

75. Pursuant to art. 17 para (2) of Law No. 252/2023, this evaluation report was approved unanimously by the evaluation panel on 29 April 2026 and signed by a Panel member designated by the Chairperson of the Prosecutor Vetting Commission in accordance with art. 29 para. (6) of the Commission Rules.

76. Done in English and Romanian.

Signature:

Nadejda HRIPTIEVSCHI

Panel member designated on 29 April 2026 by the Chairperson of the Prosecutor Vetting Commission, by email, to sign the evaluation report in accordance with art. 29 para. (6) of the Commission Rules