

**Evaluation Report No. 30 of 29 April 2026
on Vasile DISCULȚU, 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 3 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 Vasile DISCULȚU, 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 Vasile DISCULȚU meets the ethical and financial integrity criteria identified in Law No. 252/2023.

II. Subject of the Evaluation

4. Vasile DISCULȚU (“the subject”) was appointed as an interim prosecutor at the Hincesti District Prosecutor’s Office on 23 October 2006 and as a prosecutor at the same office on 16 October 2007. From 26 December 2019 to 24 December 2021, and again from 6 January 2022 to 8 December 2022, he was delegated to the APO. On 9 December 2022, 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 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 MDL¹. Thus, the threshold of 20 average salaries is 234,000 MDL, and the threshold of five average salaries is 58,500 MDL.
9. Art. 11 para. (4) of Law No. 252/2023 allows the Commission to verify various things in evaluating the subject's financial integrity, including payment of taxes, compliance with the legal regime for declaring assets and personal interests, the sources of funds of the subject's wealth.
10. Art. 11 para. (5) of Law No. 252/2023 provides that in evaluating compliance with the criteria set out in para. (3) of this article, the Commission shall also take into account the wealth, expenses, and income of close persons, as defined in Law No. 133/2016 on the declaration of assets and personal interests, 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.

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

11. Art. 11 para. (6) of Law No. 252/2023 provides that in assessing compliance with the criteria set out in art. 11 paras (2) and (3), the legal provisions in force when the relevant acts occurred are applied. The documents or findings of other entities with competence in the areas concerned shall have no predetermined value for the Commission. Findings in final judgments shall be taken into account by the Commission, except for judgments that the Commission considers to be arbitrary or manifestly unreasonable. The Commission may rule only on breaches of the rules of ethics and professional conduct, without ruling on the legality of the decisions in question.
12. In applying art. 11 para. (3) of Law No. 252/2023, the Commission cannot apply the term “serious doubts” without considering the accompanying phrase “determined by the fact that”. This phrase suggests that the Commission must identify as a “fact” that the specified conduct has occurred.
13. Regarding the standard of “serious doubts” in the context of the vetting exercise, the Constitutional Court noted with reference to its previous decisions that the definition of standards of proof inevitably involves using flexible texts. The Court also said that the Superior Council of Prosecutors can only decide not to promote a subject if the report examined contains “confirming evidence” regarding the non-compliance with the integrity criteria. The word “confirms” suggests a certainty that the subject does not meet the legal criteria. Thus, comparing the wording “serious doubts” with the text “confirming evidence”, the Court considered that the former implies a high probability, without rising to the level of certainty (Constitutional Court Judgment No. 2 of 16 January 2025, §§ 99, 101).
14. The Commission notes that the Venice Commission underlined that in “a system of prior integrity checks, the decision not to recruit a subject can be justified in case of mere doubt, on the basis of a risk assessment. However, the decision to negatively assess a current post holder should be linked to an indication of impropriety, for instance 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. Vasile DISCULȚU 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) and para. (3) of Law No. 252/2023.
19. On 24 May 2024, the Commission notified the subject of its initiation of evaluation and requested that he 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 has been informed that he may request, in writing and at the earliest time possible, 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 subject, the Commission obtained information from numerous sources. The sources generally included the General Prosecutor's Office ("GPO"), specialized Prosecutor's Offices, SCP, National Integrity Authority ("NIA"), National Anti-Corruption Center ("NAC"), Office for Prevention and Fight Against Money Laundering ("AML"), Ministry of Internal Affairs ("MIA"), Customs Service, State Tax Service ("STS"), General Inspectorate of Border Police, 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, and ethics questionnaire and collected information, those issues were raised in written questions with the subject.
26. On 31 December 2025, the Panel asked the subject to provide additional information by 14 January 2026, to clarify certain matters ("first round of written questions"). The subject provided answers and documents within the set deadline, on 14 January 2026. On 9 February 2026, the Panel requested the subject to provide additional information by 16 February 2026, to clarify certain matters ("second round of written questions"). The subject provided answers and documents within the set deadline, on 16 February 2026.
27. On 23 March 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 ethical and financial integrity criteria and invited the subject to attend a hearing on 3 April 2026. The subject was informed that he could request access to the evaluation materials.
28. 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.
29. On 3 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:
 - *The plausibility of construction and completion expenditures for a residential house.*
 - *The declared purchase price of a building plot.*

- *Allegations of insufficient diligence in the handling of a corruption complaint and related disciplinary proceedings.*

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. The plausibility of construction and completion expenditures for a residential house

34. The construction and progressive completion of a residential house, owned by the subject and his wife, in a village in Hincesti District, initially raised concerns from a financial integrity perspective within the meaning of Law No. 252/2023. These concerns derived from a set of elements identified in the evaluation materials, namely the exceptionally extended and fragmented construction timeline, spanning approximately from 2000 to 2023, the absence of primary accounting documentation for a substantial portion of the works, the reliance on *ex post* estimations rather than contemporaneous financial records, and the reliance on financial and in-kind contributions from family members, which, by their nature, are not readily verifiable. Taken together, these elements, along with the fact that the subject was not the owner of the land on which he began building the house, created a risk that part of the construction costs may have remained unaccounted for or financed through sources not reflected in his lawful income.
35. In order to clarify these aspects, the Panel requested detailed information from the subject. In R1-Q31, the subject provided a comprehensive chronological account of the construction process, indicating that preparatory works commenced as early as 2000–2002 through land clearing and initial site arrangement, followed by the progressive accumulation of construction materials between 2002 and 2008, including stone, sand, and reused structural elements, often acquired gradually and without formal documentation. The subject described the core structural phase as having taken place in 2008–2010, involving the excavation of the foundation, erection of the load-bearing structure, installation of utilities, and, by 2009, the completion of the roof. He maintained that, by 2011, at the time when he became the legal owner of the land, the house was already structurally completed and covered, a position supported by reference to Geoportal imagery.
36. The subsequent period, extending from 2011 to 2023, was described as a sequence of phased finishing, adaptation, and incremental improvement works, carried out intermittently depending on financial capacity and household needs. These included, *inter alia*, interior finishing of the ground level enabling habitation from late 2010, installation of utilities and sanitary systems, courtyard arrangements, fencing works, paving of approximately 160 m², staged thermal insulation works initiated in 2013 and corrected and continued in 2020, and, at a later stage, the finishing of the second level between 2017 and 2019, followed by minor repairs and household upgrades in subsequent years. The subject consistently emphasized that many of these works were performed personally or with the assistance of family members and local craftsmen, often without written agreements, and

that specialized companies were engaged only exceptionally. While such a model is not uncommon and may reduce formal expenditure, it simultaneously limits traceability and requires the Panel to rely on indirect indicators of plausibility.

37. A central issue arising from both rounds of written questions is the absence of documentary evidence. The subject acknowledged in R1-Q31 that, for most works prior to 2023, no contracts, invoices, or payment records were retained, citing gradual acquisition of materials, including second-hand or surplus items, and the use of informal labor. While these explanations account for the evidentiary gap, they do not dispel the risk of underreported expenditures and therefore require a structured plausibility assessment. At the same time, the subject did not attempt to reconstruct documentation *ex post* but provided a consistent account of the works, supported by corroborative elements such as photographs and references to utility connections.
38. The evidentiary framework was further developed in R2-Q8, where the subject provided a structured year-by-year estimation of expenditures, including for the evaluation period 2012–2023. According to these estimates, the annual expenditure levels were relatively moderate and distributed in a manner broadly consistent with the described phases of construction: approximately up to 30,000 MDL in 2012 for courtyard and fencing works, up to 30,000 MDL in 2013 for initial thermal insulation, up to 40,000 MDL in 2014 for paving works, followed by comparatively minor expenditures of approximately 10,000–15,000 MDL annually in 2015–2016, then higher levels associated with second-level finishing, namely approximately 75,000 MDL in 2017, 50,000 MDL in 2018, and 25,000 MDL in 2019, followed by approximately 40,000 MDL in 2020 for insulation correction works over a surface of about 200 m², and subsequently lower levels of approximately 20,000 MDL annually in 2021–2022, with a documented expenditure of approximately 31,926 MDL in 2023 for furniture acquisition. While these figures are retrospective approximations, their internal consistency and alignment with the construction chronology constitute a relevant indicator of plausibility.
39. The decisive question is whether the estimates are plausible in light of the work, timeframe, and cost benchmarks. The Panel notes the absence of abrupt or disproportionate spikes suggestive of concealed investments. More importantly, when integrated into the household's financial profile and tested against verified income and living costs, the estimates do not generate a deficit indicative of undeclared financing. Even allowing for conservative assumptions and a margin for underestimation, the explanations and estimates provided by the subject remains broadly compatible with the subject's lawful income.
40. The subject referred to multiple financing sources, including the salaries of both the subject and his spouse, wedding gifts from 2010 of approximately 300,000 MDL, and financial and in-kind support from relatives, which the Panel assessed in terms of verifiability and reliability. These sources were examined against available documentation and explanations provided by the subject.

41. On this basis, the Panel found no significant discrepancies or indicia of disproportionate asset accumulation, concealed investments, or expenditure incompatible with lawful resources.
42. In light of the above, the Panel must conclude that in relation to the issue of the construction of the house, 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. a) of Law No. 252/2023.

Issue 2. The declared purchase price of a building plot

43. A concern arose regarding the declared acquisition price of a land plot, with an area of 0.1059 ha (10.59 ares), located in a village in Hincesti District, acquired by the subject on 25 March 2021 for 21,200 MDL, because there was an apparent discrepancy between the contractual price and price levels for comparable plots in the same locality. The question arising from this discrepancy is whether the declared price reflects the real purchase price, or whether it may conceal additional undisclosed elements of value.
44. The declared price (approximately 1,013 EUR based on the average EUR/MDL exchange rate for 2021), appears lower than the prices identified in publicly available listings. By way of reference, a listing on www.makler.md for a 12-ares plot in the same locality had an asking price of approximately 4,800 EUR.
45. In order to clarify this discrepancy, the Panel addressed the subject through R1-Q33 and subsequently R2-Q9. In response, the subject submitted the notarized sale-purchase agreement and explained that the agreed price reflected the factual condition of the plot, which, both at the time of acquisition and presently, was undeveloped, lacked utilities and access infrastructure, and had not been subject to any improvements. He noted that the price was negotiated at approximately 21,000 MDL following discussions with the seller, and that his interest in the plot derived primarily from its proximity to his house. The subject further reiterated that the plot was not comparable to plots situated in more central or developed areas and emphasized specific characteristics, including its irregular shape and corner positioning, as factors negatively affecting its marketability.
46. The subject also submitted a written confirmation from the seller, attesting to the agreed price and the circumstances of the transaction. While this statement is consistent with the subject's account, the Panel observes that it was obtained after the fact, at the subject's initiative, and for the purpose of clarifying the transaction in the present proceedings.
47. The Panel considers however that the factors invoked by the subject, namely the absence of utilities and access infrastructure, the lack of improvements, and the irregular configuration of the plot, can reasonably explain the lower price.
48. Assessing the evidentiary record as a whole, the Panel finds that the notarized contract establishes the formally declared price, while the subject's explanations and the seller's confirmation plus the irregular configuration of the plot (visible on the map) provide a consistent account of the circumstances of the transaction. The Panel further notes the

absence of factors, sometimes associated with concealed consideration, such as unexplained cash outflows, inconsistencies in cash flows, or any contradictory statements.

49. In light of the above, the Panel considers that the initial concern arising from the discrepancy between the declared acquisition price and market prices for land plots in the same locality prices has been sufficiently clarified.
50. Accordingly, the Panel must conclude that in relation to the issue of the declared purchase price of a building plot, 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. a) of Law No. 252/2023.

Issue 3. Allegations of insufficient diligence in the handling of a corruption complaint and related disciplinary proceedings

51. According to the information available to the Panel, a disciplinary proceeding was initiated against the subject following concerns regarding the deficient handling of a criminal case concerning the refusal to initiate criminal proceedings in response to allegations of passive corruption by a police officer. On 17 January 2018, the Prosecutors' Inspection ordered the termination of the disciplinary proceeding and, at the same time, issued a warning under art. 19 para. (3) of the Code of Criminal Procedure.
52. On 16 June 2017 a complaint was filed by A.C. on illegal actions (passive corruption) committed by a police officer. On 13 July 2017, the subject refused the start of criminal investigation. Afterwards, the Prosecutor General annulled the decision of the subject, because it was based on an incomplete and superficial investigation. By the same order of 15 December 2017, the Prosecutor General decided to withdraw the criminal case from the Prosecutor's Office in Hincesti and send the criminal case to APO, where a criminal investigation was opened. The case was finally dismissed.
53. On 26 December 2017, A.C. filed a disciplinary complaint on the subject with the Prosecutors' Inspection. As mentioned above, on 17 January 2018, the Prosecutors' Inspection decided to terminate the disciplinary proceedings on the grounds of lack of grounds for disciplinary liability. In the same decision, the Prosecutors' Inspection however warned the subject of the violation of the provisions of art. 19 para. (3) Criminal Procedure Code, because the subject did not carry out all the investigations that are appealed for the investigation of the circumstances and the appropriate assessment in all aspects and issued the illegal order that was annulled by the Prosecutor General.
54. Although the subject's actions might raise ethical concerns, the Panel did not examine this issue because it falls outside the five-year period provided by art. 11 para. (2) lit. a) of Law No. 252/2023 and does not reach the threshold of seriousness required for examination from the perspective of potential arbitrariness that provides for a ten-year period.

VI. Conclusion

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

VII. Further Action and Publication

56. 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.

57. 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.

58. 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).

59. 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.

60. 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