Over the last several years, Moldova has been making robust attempts to strengthen rule of law within the country and fight corruption in its justice system, as part of the ongoing process for accession to the EU. Despite the Moldovan government’s pro-European stance and expressed commitment to judiciary reform, recent civil society reports show that as of 2019, 46.3% of the Moldovan public expressed low trust in the justice system, perceiving it as non-transparent and lacking in integrity. In 2020, Moldova’s pro-European government assumed power with the promise to address known issues of selective justice and corruption among judges and prosecutors. The main mechanism of this reform was proposed to be an improved process of evaluation for officers of the court.

The country’s international development partners have been supportive of and highly involved in setting up this new vetting process, with aims to improve public trust in the judicial system by following the reform model previously used in Albania. In 2016, Albania entered then-uncharted waters toward justice reform, and its progress since has been slow but steady. The Albanian reform project aimed to reshape the country’s justice system through systematic reevaluation of judges and prosecutors, and to establish new judiciary institutions alongside the rehabilitation of already-existing institutions. The primary stated objectives for this process were to combat corruption, improve efficiency of the judicial process, and strengthen the judiciary’s capacity for self-administration.

Seventeen constitutional changes in 2016 initiated a still-ongoing process of evaluation for Albanian justice officials, laying the foundation for a judiciary which endeavors to stand independent of any outside political pressure. This institutional assessment, which began shortly after the establishment of the necessary vetting bodies, is still in progress and has not fully achieved the objectives outlined in the Independent Qualification Commission (IQC)’s constitutional mandate. In Albania, the IQC serves as the first-order evaluation institution.
for magistrates at all levels. The original timeline for the project anticipated completion by 2022 but has since been extended to 2024.9

It is important to note that the Albanian evaluatory process was constitutionally-grounded; this puts it in contrast to Moldova’s appraisal mechanism, whose legal basis has not been established by way of constitutional amendment but rather through a series of regulations applied at the institutional level.10 If Moldova’s evaluation and reform project fails to produce unambiguously positive results in a timely manner, it runs the risk of further eroding public confidence in the justice system.11

In Moldova, judiciary vetting authority is shared among five institutions. The ad hoc “Pre-Vetting Commission” was established to evaluate the members of the self-administering bodies of judges and prosecutors—the Superior Council of Magistracy (SCM)12 and the Superior Council of Prosecutors (SCP). In the case of vetting the Supreme Court of Justice (SCJ) judges, and other high position judges and prosecutors, the review is conducted by the respective vetting commissions, while the decision-making is left to the SCM and SCP.13,14

In this paper, I will conduct a comprehensive analysis of the new judiciary vetting process in Moldova and compare it to the ongoing Albanian reform which serves as its precedent. We will draw on insights from Albania’s full-scale justice reform and shed light on Moldova’s efforts to replicate Albania’s successes. With an emphasis on the critical role of the vetting process in attempting to ensure an independent judiciary, this brief will provide an overview of the Moldovan reform project; evaluate its impact on constitutional stability; and address the challenges inherent to this process.

**VETTING REFORM AS A CONDITION OF EU ACCESSION**

The vetting process being utilized in Moldova aligns with the EU and Venice Commission’s international recommendations for addressing the public perception of corruption in a country’s justice sector.15 Per the conditions imposed by the EU for Moldova’s hopeful European integration, the government has made a goal of combating corruption and improving public faith in the justice system. These priorities are outlined in Moldova’s strategy for ensuring the independence and integrity of the justice sector for 2022–2025.16 While the parliamentary adoption of this plan underscores the country’s commitment to aligning with the EU acquis, critical evaluation and thorough scrutiny of its implementation will be essential for measuring the tangible impact of reform on Moldova’s justice system.

Even in the midst of a challenging journey to meet EU requirements, Moldova has received high marks from international partners for progress already made,17 both in its establishment of a judiciary pre-vetting process and its adoption of transparent legal standards for the evaluation of SCJ candidates. These laws entered into force on June 4, 2023, and introduced an SCJ reform strategy which was in accordance with the recommendations of the Venice Commission.18

**MOLDOVA’S VETTING REGULATORY FRAMEWORK**

Self-administering justice institutions, such as Moldova’s Superior Council of Magistracy (SCM) and Superior Council of Prosecutors (SCP), are the guarantors of an independent and impartial judiciary system. The SCM and SCP are the institutions responsible for overseeing the appointments, transfers, and promotions of judges19 and prosecutors,20 as well as for implementing disciplinary measures against them and removing them from office when necessary. To ensure that these important institutions can function effectively, Moldova has pledged to appoint them with impartial members. In March 2022, this commitment led to the adoption of a law requiring that all candidates running for membership positions in the SCM or SCP undergo a vetting process devised by the Pre-Vetting Commission.21 This Commission consists of six members: three from a proposed list forwarded by the international development partners, and the other three being Moldovan nationals whose collective composition is based on a proportional representation of parliamentary groups, reflecting both the majority and opposition parties. The latter three commission members are elected through a parliamentary vote, requiring the approval of a three-fifths majority of all MPs. This appointment system is in alignment with the Venice Commission’s recommendations,22 and received positive evaluation in the EU’s 2023 Progress Report.23

The first round of pre-vetting in 2022 was a watershed moment for Moldova’s justice reforms and was duly supervised and scrutinized by its newly appointed regulatory bodies. Prior evaluation had identified possible risks to the integrity of the reform process. In August 2023, a report published by the OSCE/ODHIR24 analyzed potential pitfalls in utilizing an ad hoc organ for the evaluation of magistrates and prosecutors. The report notes problems that may arise from a conflict of interest between self-governing bodies and vetting institutions.25 The authors emphasize the need for the Evaluation Commission’s background check and candidate selection procedures to be as transparent as possible.26

The report also highlights the necessity of reliable consultation and selection procedures for SCM and SCP candidates.27 Between the Venice Commission Opinion and ODHIR report,28 there is consensus on the need for transparency around the evaluation and assessment
of Pre-Vetting Commission candidates. A well-defined standard and scope for what constitutes ‘ethical integrity’ is crucial for the credibility of these institutional reforms.\textsuperscript{50} With these concerns in mind, the work conducted by the Pre-Vetting Commission has received high praise from Moldova’s development partners, particularly the United States and EU. These partners emphasized the professionalism demonstrated by the Pre-Vetting Commission.\textsuperscript{31}

By September 2023, the Pre-Vetting Commission had evaluated 49 candidates for the SCM position and 20 candidates for the SCP position. Only fourteen candidates for the SCM (in total, five judges and nine experienced law professionals) and nine candidates for the SCP passed the Pre-Vetting Commission’s final evaluation,\textsuperscript{32} but upon review, professional monitoring organizations concluded that the evaluation process had not been sufficiently adherent to the ODHIR’s principles of fairness and impartiality.\textsuperscript{33} After re-evaluation, five out of the seven candidates who had not previously met the financial integrity criterion failed again to pass. Two successfully passed the evaluation process.\textsuperscript{34}

The majority of candidates who did not pass the second vetting challenged the Commission’s decisions through the Supreme Court of Justice.\textsuperscript{35} In total there were 28 appeals from candidates who had failed evaluation; of these, the SCJ upheld the decision of the Pre-Vetting Commission in only six cases. The remaining 22 decisions were overturned due to violations of due process and the principle of proportionality.\textsuperscript{36} Subsequently, the Commission’s mandate was extended until the end of the appeal process for all candidates. A second round of re-evaluation was ordered, pursuant to the SCJ rulings.

As well as vetting the candidates for the self-administrative organs, Moldova undertook vetting and reform of the SCJ, with the aim of enhancing its independence. The law regarding external evaluation of judges and candidates for the Supreme Court of Justice positions was the result of exhaustive consultation with the Venice Commission, and was formally adopted in Moldova on March 30, 2023.\textsuperscript{37} The vetting commission\textsuperscript{38} for both the sitting judges of the SCJ and the candidates for the court’s open positions began the new evaluation process in July of 2023.\textsuperscript{39} Before vetting even began, 20 out of 25 Supreme Court judges resigned in protest,\textsuperscript{40} claiming that the new standards had political motivations behind them.\textsuperscript{41} This oppositional movement within the judiciary, which is still ongoing, has the potential to bring the Moldovan justice system into deadlock. Similarly, during its own reform process, Albania experienced the absence of the constituents of the Constitutional Court and Supreme Court for around two years.\textsuperscript{42}

According to the new rules for the SCJ, the total number of Supreme Court judges is 20, with nine of those judges being lawyers, university professors, or prosecutors of good reputation and renown.\textsuperscript{43} This makes the composition of the SCJ of Moldova similar to that of the High Court of Albania, which draws one-fifth of its members from a pool of well-known lawyers and academics.\textsuperscript{44} Also similarly to Albania,\textsuperscript{45} the president appoints these SCJ judges based on the recommendation of the SCM.\textsuperscript{46} The reconfiguration of the SCJ is an important step towards reformation of the judicial system of the Republic of Moldova. These new laws regarding the SCJ have strengthened the position of the highest court in the country and outfitted it with competence to write future legislation successfully.

In addition to setting up these vetting processes for the judiciary bodies of the SCM, SCP, and SCJ, the government has instituted further law-making procedures for the next stage of vetting: the evaluation of existing judges and prosecutors in high-level positions. New legislation regarding this vetting was enacted on August 22, 2023, in compliance with recommendations by the Venice Commission.\textsuperscript{47} This law was amended on November 24, 2023 pursuant to the President’s returned decree, and is currently under review. On December 5, 2023, the Ministry of Justice organized the first meeting of the Commission for the External Evaluation of the Ethical and Financial Integrity of Prosecutors. As of February 1, 2024, all members of this Commission had been appointed.

Comparison with the Albanian vetting institutional framework

To date, Albania’s justice reform stands as the country’s most significant civil accomplishment toward EU accession. As of January 31, 2024, the IQC (Independent Qualification Commission) had vetted a total of 728 magistrates; 515 decisions have been finalized, with the remaining cases currently under review by the SAC\textsuperscript{48} (Special Appeal Chamber).\textsuperscript{49} The candidates still pending consist primarily of judges and prosecutors from the first-instance courts and courts of appeals.

At this point, the Albanian reform project does not consider itself to have achieved all its own ambitions. Supporters and opponents are divided largely on the effectiveness and how unbiased the implementation of the judicial vetting process has been.\textsuperscript{50} Although the reform has received strong support from international partners, including the EU and the U.S., international watchdog organization reports indicate that Albania has fallen short of its stated goals of building social trust in the judiciary and eliminating undue political influence. Critics’ concerns are exemplified by some contested appointments, several documented cases of outside pressure on the vetting organs,\textsuperscript{51} and continued hindrance in citizens’ access to justice overall.\textsuperscript{52} The Albanian Security Barometer National Survey 2022 summarizes
Albania and Moldova have enacted similar vetting procedures to establish independent and un-corrupt justice systems. Moldova drew inspiration from Albania's vetting model, which had been assessed positively by the European Court of Human Rights (ECtHR). Although similar to one another, there are distinct legal elements to differentiate the vetting processes between the two countries.

In Moldova, vetting reform was implemented largely through legislative changes rather than constitutional revision. The only exception was a constitutional amendment regarding specifically the SCM and SCP, which was adopted before inception of the vetting process. This constitutional amendment sought to bolster the institutions' self-administration capabilities and introduced measures to counteract political influence upon them. It also established new rules on the composition of the SCM and SCP. The SCM was revamped to be composed of twelve members, six of whom would be judges and the other six persons of high professional reputation and personal integrity, who have experience in law or a related field but are not active in the legislative, executive, or judicial bodies of the government, and are not politically affiliated.

In Albania, the vetting process is similarly integral to the ongoing justice reform. Judicial vetting commenced in 2016 with the introduction of several new constitutional justice institutions (see Table 1). These new institutions include the Judicial Appointments Council, the High Council of Justice, the High Prosecutorial Council, and the High Inspectorate of Justice.

<table>
<thead>
<tr>
<th>Vetting Institutions</th>
<th>Moldova</th>
<th>Albania</th>
</tr>
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<tbody>
<tr>
<td><strong>Evaluation of members of the self-governing institutions</strong></td>
<td>Pre-Vetting Commission</td>
<td>Sub-Commission of the Commission on Legal Affairs at the Parliament</td>
</tr>
<tr>
<td><strong>Evaluation Commission/s of judges and prosecutors in different levels</strong></td>
<td>• Evaluation Commission of the SCJ judges and candidates for the position of judge of the SCJ + SCM</td>
<td>Independent Qualification Commission (IQC)</td>
</tr>
<tr>
<td></td>
<td>• Evaluation Commission of the Judges + candidates for the position of member of the disciplinary colleges of judges, member of the colleges for the selection and evaluation of judges + SCM</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Evaluation Commission of the Prosecutors + candidates for the position of member of the disciplinary colleges of prosecutors, member of the colleges for the selection and evaluation of prosecutors + SCP</td>
<td></td>
</tr>
<tr>
<td><strong>Appeal Organ</strong></td>
<td>Supreme Court of Justice (SCJ)</td>
<td>Special Appeal Chamber of the Constitutional Court (SAC)</td>
</tr>
<tr>
<td><strong>Supervising Organ/s</strong></td>
<td>N/A</td>
<td>2 Public Commissioners (PC) &amp; International Monitoring Operation (IMO)</td>
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</tbody>
</table>

Table 1: Comparison between the vetting institutions in Moldova and Albania

Albania's vetting of judges, prosecutors, and members of the self-administration organs is carried out by only one vetting commission, the IQC. The IQC's decisions are reviewed by the Special Appeal Chamber of the Constitutional Court (SAC). Members of the IQC and SAC are appointed by the President of the Republic and monitored by international donors through another constitutionally-established organ, the International Monitoring Operation (IMO). The IMO's constitutional mandate is to oversee the judicial vetting process in its entirety, alongside two Public Commissioners (PC). Together, the PC comprise the competent organ through which the decisions of the IQC may be appealed to the SAC. Members of the IMO are
appointed by its international donors, while the two Public Commissioners are appointed by the parliament. The judges of the SAC hold the status of Constitutional Court Judges. The SAC’s decisions can be appealed directly to the ECtHR.

In Moldova, development partners have the right to propose three international members for each of the country’s three vetting commissions (the Pre-Vetting Commission,65 the vetting commission of the SCJ judges,66 and the two vetting commissions for the judges and prosecutors in high positions).67 Moldova’s development partners are also responsible for overseeing the hiring process of secretariat employees for the aforementioned evaluation commissions; however, these partners do not ultimately provide guidance to either the evaluation commissions or the secretariat. In all cases, the evaluation commissions (with the exception of the Pre-Vetting Commission) are only tasked with preparing evaluation reports strictly according to pre-established compliance criteria. Decision-making authority is left to the SCM or SCP. This system complies with the Venice Commission Opinion,68 but leaves a legal vacuum around the administrative load that the self-governed institutions are likely to experience as a result. One of the decisions left to the SCM and SCP is whether to promote any candidate approved by the evaluation commission. If procedural errors were made during the approval process, they may request re-evaluation before coming to a decision.69 The evaluation commissions, again excepting the Pre-Vetting Commission, may appeal the SCM’s or SCP’s decisions to the Supreme Court of Justice.

In Albania, the IQC and SAC have authority to issue three types of decisions on a candidate after assessment: promotion; one-year suspension from current judiciary duties followed by compulsory education (which may be enacted as a disciplinary measure); or outright dismissal or termination.70 The appellate organ in Albania is intended to reduce possible delays in the vetting institutions’ decision-making process, and help to ensure on-time evaluations. Nonetheless, in 2022 the vetting institutions failed to finalize their evaluation process according to schedule and required that their mandate be extended.

The establishment of Moldova’s vetting commissions introduces some legal uncertainties, particularly regarding the constitutional basis and potential contestability of the vetting process. The lack of constitutional grounding for the establishment of the vetting organs raises questions about whether they might in the future be vulnerable to political pressure from other arms of the government.71 Moldova may see challenges like those experienced in Albania, where at one point only two judges of the High Court and one judge of the Constitutional Court had passed vetting; in that case, Albania’s entire justice system was brought to a halt, with court positions left unfilled at all levels and cases backed up for months.72

A key aspect of Moldova’s vetting process is the right to appeal the evaluation decisions of the SCM and SCP to the Supreme Court of Justice. This creates a point of weakness in the justice reform process, as the SCJ can only review the Commissions’ decisions if there are no issues around conflicts of interest, incompetence, or a shortage of judges.73 The SCJ will admit an appeal only if it finds that, in the process of evaluation, serious procedural errors were committed that may affect the fairness of the evaluation, or if there are material circumstances that could lead to the promotion or non-promotion of the candidate.74 This legal basis was introduced in December 2023.

**VETTING PROCESS AND THE ECtHR STANDARDS**

The Vetting process is based in a methodological assessment of the financial and ethical integrity (meaning the personal and professional reputation) of the candidate.75

Albania’s constitution establishes that evaluation by the IQC and SAC should be made on the basis of three assessments: financial assets, personal background, and professional background.76 As a last resort, the ECtHR may be called upon to review a candidate’s history of compliance with due process and human rights standards. In Moldova, a vetted candidate can also be contested through this forum. In cases where professional ethics are found to have been violated, the ECtHR may issue a statement that the decision of the Moldovan vetting organs and national courts contravene EU standards. Such a ruling would likely serve to further undermine public trust in the country’s reform efforts.77 Given the precedent set in Albania, Moldova’s dismissed magistrates are considered likely to register complaints with the ECtHR.

The Albanian vetting process was found to have fulfilled ECtHR standards in the case of Xhoxhaj v. Albania.78 Not so in several subsequent cases, such as Sevdari v. Albania, Thanza v. Albania,79 and Cani v. Albania.80 In these cases, the vetting institutions were found to have committed violations of due process and/or fair trial or engaged in disproportionate dismissal. Disproportionate dismissal of the prosecutor was identified in the Sevdari case81 and determined to be in violation of Article 882 of the Convention; the Court found that the most appropriate redress for the plaintiff Ms. Sevdari would be the resumption of the vetting process. In Cani v. Albania, the case was diverted by accusations that one...
of the vetting members of the SAC had falsified their application documents and therefore been appointed fraudulently. Since one of the Committee's appointments was fundamentally unlawful, the State was found to have failed to secure the applicant's right to be judged by a court established by law. As in the case of Sevdari, the ECtHR concluded that the appropriate redress was reevaluation of the case.83 Thanza v. Albania was the first case in which the ECtHR discovered a violation of the right to a fair trial by a vetting organ.84

CONCLUSIONS AND RECOMMENDATIONS

Moldova continues working to organize the nexus of a liberal society and become a full-fledged member of the European Union. To that end, the judiciary evaluation mechanism remains the country's greatest achievement to date.85 In order to establish a system where integrity is perceived not as a luxury but a right for all citizens,86 the government should be willing and able to communicate with the public to enhance widespread understanding of justice reform, establish a culture of anti-corruption and respect for the rule of law, and confirm the integrity of the judiciary for all to see.

In the context of Moldova's political and institutional history, numerous appeals to the SCJ and ECtHR are likely to arise as this process unfolds and begins to produce results. Under observation by the ECtHR, Moldovan vetting institutions are being tasked with adhering to the most stringent legal standards, in order to clear the early hurdles which could compromise the assessment process for vetted candidates in the years to come.

A final, integral aspect of the reform must involve open consultation for amendments to normative acts and reform objectives, as may be found necessary. This would both foster public trust and facilitate the effective implementation of vetting standards. Moldovan authorities can draw on lessons from the Albanian reform in order to mitigate the assessment process for vetted candidates in the years to come.

- Moldova's parliament and self-administering institutions should not only clearly define the essential components of the evaluation process, but also establish a structured and methodological approach for the evaluation commissions' benefit. Standardization would reduce opportunities for successful appeals on the grounds of procedural violations and strengthen judicial guarantees.
- Moldovan legal institutions that are under the purview of the vetting process must refrain from amending any laws regarding the vetting process while it is still ongoing.
- Moldovan authorities should establish independent institutions within Moldova whose job is to oversee the evaluation commissions. These may be Public Commissioners or administrative inspectors employed by the High Inspectorate of Justice, as were employed in Albania. These organs ensure that the decisions made on domestic judicial appeals are unbiased.
- The vetting commissions should expand the first-instance evaluation process for vetted candidates. The designation of the SCJ as the primary appellate court risks justice delays due to a high caseload and may cause vacancies to open in various judiciaries including the SCJ itself. To ensure that the vetting process is carried out with integrity and in a timely manner, a dedicated appeal chamber with a clear and singular mandate should be established within the Constitutional Court of Moldova.
- Moldova's parliament and self-administering bodies of judges and prosecutors should conduct an analysis of the risks that could stem from persistent vacancies in the judicial system, as happened when Albanian courts were brought to a standstill for two years. In conjunction with international partners, Moldova should allocate funds and draw a roadmap for the first two years of its reform in anticipation of potential hindrances to the legal system's efficacy during transition.
- Reform should not be framed as a condition imposed on Moldova by the EU in exchange for membership, but as a self-evidently positive step toward a society which is served justly by both its legal system and its government as a whole. The most reliable way of achieving this goal will be through a process of reform which calls on coordinated monitoring and review from stakeholders, international partners, civil society organizations, and the parliament itself.
ENDNOTES

1 “Who will guard the guards themselves?” (Lat.)


8 Independent Qualification Commission (First Instance Vetting Commission)


12 Constitution of the Republic of Moldova, Article 123


16 Law no. 211, 06 November 2021, for the approval of the Strategy on Ensuring the independence and integrity of the justice sector for the years 2022-2025 and the action plan for its implementation, Published: 31-12-2021 in Official Gazette No. 325-333 art. 496, Retrieved from https://www.legis.md/cautare/getResults?doc_id=129241&lang=ro


18 Moldova Progress Report 2023, pp. 5 & Venice Opinion No. 1100 / 2022 on the Law on the Supreme Court of Justice no. 64 was adopted on 30.03.2023 and is in force starting with 06.04.2023. https://www.legis.md/cautare/getResults?doc_id=1363048&lang=ro

19 Constitution of the Republic of Moldova, Article 123

20 Constitution of the Republic of Moldova, Article 125/1

21 Republic of Moldova. Law No. 26, date 10/03/2022. On some measures related to the selection of candidates for the position of member in the self-administration bodies of judges and prosecutors


26 Ibid, pp. 9

27 Ibid, para. 22 & Republic of Moldova. Law no. 26 of 10.03.2022 “regarding some measures related to the selection of candidates for the position of member in the self-administration bodies of judges and prosecutors.”

28 Venice Opinion No. 1069 / 2021, para. 33


30 Ibid, pp. 8


32 https://vetting.md/en/candidates/


34 See, for example, the decisions of the Pre-Vetting Commission No. 11 or 25 in contrast to decision No. 19

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43 Republic of Moldova Law no. 64 of 30.03.2023 on the Supreme Court of Justice was adopted and is in force starting with 06.04.2023, Article 7

44 Constitution of the Republic Albania, Article 136/3

45 Constitution of the Republic of Albania, Article 136, 1

46 Republic of Moldova. Law No. 64 of 30-03-2023 regarding the Supreme Court of Justice, Published: 06-04-2023 in Official Gazette No. 117-118 art. 190, article 7, para 5


48 https://kpa.al/en/page/2/


52 ibid.


54 Xhoxhaj v Albania App no 15227/19 (ECHR, 8 March 2019)


56 Constitution of the Republic of Moldova, Article 121/1 & 125/1

57 Constitution of the Republic of Moldova, Article 122 para 1

58 Constitution of the Republic of Albania, 149/d, 147, 149, 147/d

59 The Pre-Vetting commission is the only decision-making commission among the established commissions.

60 The evaluation commission has no decision-making competence but is assigned with the competence to prepare the evaluation report for the SCM and SCP.

61 Competent institution to make the decision for the vetted candidate.

62 Constitution of the Republic of Albania, Article C

63 Constitution of the Republic of Albania, Article B, C/6

64 Constitution of the Republic of Albania, Article C/2

65 Republic of Moldova, Law no. 26/2022 on some measures related to the selection of candidates for membership in the self-administrative bodies of judges and prosecutors.


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69 Republic of Moldova, Law No. 65 of 30-03-2023 regarding the external evaluation of judges and candidates for the position of judge of the Supreme Court of Justice Published: 06-04-2023 in Official Gazette No. 117-118, art. 192 Article 17/2, Law No. 252 of 17-08-2023 on external evaluation of judges and prosecutors and amendment of certain normative acts Official Gazette No. 325-327, Art. 581, Article 18.

70 Constitution of the Republic of Albania, Annex, Article C/E

71 Republic of Moldova, Law No. 64 of 30-03-2023 on the Supreme Court of Justice Published in the Official Gazette No. 117-118, art. 190 Article 1 & 2/2 Retrieved from https://www.legis.md/cautare/getResults?doc_id=136304&lang=ro


73 Republic of Moldova, Law No. 65 of 30-03-2023 regarding the external evaluation of judges and candidates for the position of judge of the Supreme Court of Justice Published: 06-04-2023 in Official Gazette No. 117-118, art. Article 18/2 of the Law Retrieved from https://www.legis.md/cautare/getResults?doc_id=138716&lang=ro

74 Ibid, art. 18 para (2/2)

75 Article 1, https://www.legis.md/cautare/getResults?doc_id=140455&lang=ro#

76 Constitution of the Republic of Moldova, Article C


78 Xhoxhaj v Albania App no 15227/19 (ECtHR, 8 March 2019)

79 Thanza v Albania App no 410447/23 (ECtHR, 4 July 2023)

80 Cani v. Albania App no 37474/20 (ECtHR, 4 October 2023)


82 Right to respect for private and family life

83 One of the judges who was appointed to hear the case of the applicant was appointed in violation of the law! Violation of due process. (2022, October 4). Retrieved from https://www.echrcaselaw.com/en/echr-decisions/one-of-the-judges-who-was-appointed-to-hear-the-case-of-the-applicant-was-appointed-in-violation-of-the-law-violation-of-due-process/

84 Thanza v Albania App no 410447/23 (ECtHR, 4 July 2023), para. 143


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This Justice First policy brief is produced under the Moldova Justice Sector Accountability program, which seeks to help civil society serve as an effective advocate for inclusive, accountable, and transparent justice reform.