MEMO

DESCRIPTION OF THE CONTEXT WHICH PRECEDED THE INITIATION OF THE CRIMINAL INVESTIGATION AGAINST THE SUSPENDED PROSECUTOR GENERAL ALEXANDR STOIANOGLO

AUTHOR: PAVEL GRECU

OCTOBER 25, 2021 (EN VERSION)

I. Vision and actions of the General Prosecutor Alexandr Stoianoglo

1. On October 29, 2019, as a result of the interviews carried out by a committee of experts of the Ministry of Justice, the candidates Alexandr Stoianoglo, Vladislav Gribincea, Oleg Crîșmaru and Veaceslav Soltan were preselected to be proposed to the Superior Council of Prosecutors. Following the contest organised on November 29, the SCP proposed to the president of the country, Igor Dodon, Alexandr Stoianoglo to be appointed to the position of General Prosecutor. The appointment decree was signed the same day.
2. In his initial interview before the preselection commission, A. Stoianoglo pleaded, *inter alia*, for less arrests, less wire-tapping and less criminal cases examined behind closed doors. Moreover, on the case file „The billion theft", he declared*, inter alia*, that the prosecutors and criminal investigation officers who have not advanced on this case by then would be removed and that „*we have to get back and re-examine all the criminal cases heard behind closed doors, in order to determine whether there are legal grounds to initiate re-examination in these cases. I have big doubts that these case files contained any relevant evidence that would have justified the adoption of the conviction sentences*.[1]
3. One of the members of the committee asked him why he did not vote with the majority during his term as MP, when his alliance, to which he belonged voted for the liquidation of the economic courts.[2] Mr Stoianoglo replied that he agrees with the specialisation of courts and as far as he knew, there was a problematic judge who „*was pulling all the strings in the economic system*", and there was no point in liquidating a court because of person. He mentioned that the respective person was Aureliu Colenco (the ex-President of the Economic Court of Appeal)[3], and in his capacity of deputy president of the Parliament he had talked to this judge, and he left the system, but only after the economic courts have been liquidated.

The first criminal case of Viorel Morari, the former head of the Anticorruption Prosecutor's Office

4. On December 26, a criminal case against Viorel Morari, the then head of the Anticorruption Office was initiated for abuse of office and false in public documents. According to the General Prosecutor's Office, Viorel Morari was suspected of having registered a complaint against the law and that he has forged procedural documents in that case file. According to V. Morari, the complaint to which the General Prosecutor's Office refers to was pertaining to Vladimir Plahotniuc against Veaceslav Platon for denigrating depositions. V. Morari said that this and other case files initiated later against him represent a revenge of the General Prosecutor A.

1 At that time, there were few cases on „The stolen billion" examined behind closed doors, concluded with final conviction sentences. These are the cases of Veaceslav Platon, Olga Pungă and Vladimir Filat. All these persons were eventually released from detention.
2 The economic courts were considered among the most corrupt in the entire judicial system. In the absence of functional anticorruption mechanisms among judges, the Parliament decided to liquidate the economic courts. See CC Dec no. 3 of February 9, 2012, para. 56, available at: https://www.legis.md/cautare/getResults?doc_id=3340&lang=ro.
3 After leaving the system, Aureliu Colenco participated as a consultant of Veaceslav Platon, during the debates in a parliamentary commission. Also Nicolae Timofti, the former President of the country, in a speech in front of the General Assembly of Judges on the topic of corruption in the system, mentioned about that relationship. See: https://www.zdg.md/editia-print/stiri-vechi/declaratiile-presedintelui-nicolae-timofti-despre-veaceslav-platon-aurel-colenco-si-miloanele-de-dolari/.

Stoianoglo for initiating criminal investigation on the illegal financing of the Party of Socialists of the Republic of Moldova, including the „Bahamas case".

The release and acquittal of Veaceslav Platon

5. On May 18, 2020, the General Prosecutor A. Stoianoglo declared in a press conference that „*the case file of citizen Veaceslav Platon was fully forged. The accusation was based on a deliberately distorted assessment and misinterpretation of the facts resulting from Șor's accusations. Therefore, the citizen Platon was illegally convicted and is illegally serving his sentence. Based on the evidence, the prosecution will initiate the review of his sentence and will insist on a fair examination of the case with the guarantee of all his procedural rights, of which he had been previously deprived of*".

6. The events which followed are described in detail in a newsletter published by the LRCM: "*On June 10, 2020, the General Prosecutor sent to the Chisinau Court a request to suspend the enforcement of the judgment issued in respect of Platon in „the BEM file". The General Prosecutor indicated that on April 24, 2020, the Prosecution for Combating Organised Crimes and Special Cases (PCOCSC) initiated a procedure to review the case file on the grounds that Mr Platon's guilt would not correspond to the charges.*

7. *On June 15, 2020, just five days after receiving the General Prosecutor's request, the Chisinau Court, Ciocana headquarters accepted it, on the grounds of reviewing the sentence and that new circumstances have been found, unknown for the court at the time of issuing the decision. The judge did not mention what those circumstances were. The court suspended the enforcement of the court decisions issued in respect of Veaceslav PLATON in „the BEM file", by which the latter was sentenced to 18 years of imprisonment. The same day, Veaceslav PLATON was released from Prison no. 13 of Chișinău municipality. Platon's release from detention was possible also due to quashing in January 2020 of the conviction sentence in the „Moldasig file" and sending the case for re-examination in the first instance court (for details please see Newsletter no. 25 of the LRCM). The re-examination of the case file against Mr Platon regarding his involvement in the billion theft may result in compensations of over one billion lei."*

8. On May 28, 2021, PCOCSC dropped charges in V. Platon's case on the billion theft, on the grounds that „*the incriminated deed was not committed by Veaceslav Platon*". On June 14, 2021, V. Platon was acquitted by the Chișinău Court, Buiucani headquarters. Although V. Platon also had other ongoing criminal cases (*Moldasig case, the case on active corruption and fraud*) the prosecutor's office did not request any preventive measure, such as, for example, the obligation of not to leave the country.

Suspicions regarding the relationship between A. Stoianoglo and V. Platon

9. Speculations about a relationship between A. Stoianoglo and V. Platon started to appear in the public space practically as soon as he was appointed General Prosecutor. When asked if there is such a relationship A. Stoianoglo replied: „*I have never had and I am not in any relationship with V. Platon*". In another interview, the General Prosecutor added that: "*last time I saw Mr Platon was in the Parliament of the Republic of Moldova in 2010. I have never even had a conversation with him. All the attempts to link me in a way or another are made because for these people Platon represents a threat*".

10. In a video recording published on May 28, 2020, it is shown the manner in which V. Platon is being heard as a witness in the "Billion Theft" file. At the beginning of this video, it can be noticed how A. Stoianoglo and V. Platon shake hands and greet each other friendly: „*Hi Veaceslav*" and „*Hello Alexandr Dmitrevici*". The General Prosecutor further tells him that they have reacted to V. Platon's request to give statements and that they need them, but it's V. Platon who needs this even more, to prove the society and the investigation bodies that he had not been part of these processes. The General Prosecutor's Office acknowledged the authenticity of the

recording, noting that it has initiated an internal investigation, and then a criminal case on the leaks.

11. On October 4, 2021 materials appeared in the media, which show that A. Stoianoglo would have congratulated V. Platon on the New Year in 2013, with the text "*С новым годом! Удачи, успехов, здоровья! С уважением. А. Стоянтогло*" (*trans.: Happy New Year! Good luck, achievements and health! Respectfully, A. Stoianoglo*). Moreover, the published information also shows that they would have had telephone conversations through WhatsApp and Viber throughout 2013-2014.

12. In the early parliamentary elections of July 11, 2021, PAS, a party with an anticorruption and justice reform agenda, wins a comfortable majority of 63 mandates in the Parliament of the Republic of Moldova. According to a news portal, on July 18, 2021 V. Platon left the Republic of Moldova, with a flight to London, which was eventually confirmed by him. Sergiu Litvinenco, at that time a PAS member of the Parliament, commented that "*I don't know what explanations will find this time again the General Prosecutor, but I am almost sure that this would not have been possible without his consent*". At the time of drafting this document, V. Platon had not yet returned to the country.

13. On August 2, 2021, the prosecutors requested V. Platon's arrest and search for enforcing an insurance measure on V. Platon's, in the case file in which he is accused of „active corruption" and „fraud", on the grounds of not appearing in the court hearing. On August 12, 2021, Chișinău Court, Buiucani headquarters admitted the prosecutors' request.

Information which discloses that A. Stoianoglo's wife would be the beneficiary of some companies of V. Platon

14. On January 6, 2021, the former head of Anticorruption Prosecutor's Office, V. Morari appeared in a press conference with accusations against A. Stoianoglo, that his wife, Tvetana Kurdova, would be the final beneficiary of two companies based in Ukraine "*Verlok Development Inc*" and "*Jet Bussiness Limited*". V. Platon acknowledged that these companies pertain to him, but he mentioned that Vladimir Plahotniuc would have organised the introduction in these companies the name of Tvetana Kurdova.

15. On April 2, 2021, an Ukrainian portal published a journalistic investigation regarding the information mentioned above. Throughout the investigation, the information disclosed by V. Morari was confirmed. At the time of the investigation, three months later, T. Kurdova continued to be beneficiary of V. Platon's companies. In fact, even after the initiation of the criminal investigation against A. Stoianoglo, prosecutor V. Furtună confirmed the fact that according to official data on the website of the Ministry of Justice of Ukraine, Mrs Kurdova was still listed as beneficiary of these companies. The investigation also revealed that these companies, former shareholders of „Moldindconbank", hold together debts of $ 5.5 million.

16. On April 9, 2021, the General Prosecutor's office described in a press release the information presented in the investigation as false and as an attempt to intimidate the General Prosecutor in order to divert from the investigation on the bank fraud. According to the press release, the respective investigation is subject to a criminal investigation at the PCOCSC on the grounds of interference in the administration of justice and criminal investigation, in the interest of a criminal organisation.

„Paper waste" from the „Laundromat" case file

17. The „*Laundromat*" case is a criminal operation under which throughout 2010-2014 around 22 billion dollars were transferred from the Russian Federation to non-resident companies through the Moldovan judicial and banking system. In 2014, a criminal case was initiated based on this scheme, in which 14 judges were accused of issuing illegal decisions in order to facilitate money laundering.

18. According to an investigation portal, in September 2020, the prosecutor from the Anticorruption Prosecutor's Office, Mirandolina Sușițcaia, signed several motions to discontinue criminal investigation in respect of the 14 judges. Apparently, the argument brought by M. Sușițcaia was that the rulings issued by the judges are in force, no other court found them illegal. Several months later, A. Stoianoglo said during an interview that there were no evidence in the "Laundromat" case, and except paper waste, there is nothing there.

19. During a press conference on April 13, 2021, a Member of the Parliament ACUM Platforma DA, and the President of the Parliamentary Committee "*Laundromat*", Inga Grigoriu, pointed to an amendment to the Law on Preventing and Combating Money Laundering and Terrorism Financing, a key element in the money laundering process.

20. According to the MP, in 2011, the then Director of the CCECC (the current NAC) Viorel Chetraru, came to the Parliament with a legislative initiative, which was subsequently taken over and signed in the form of an amendment to the Law no. 190 on the Prevention and Combating Money Laundering and Terrorism Financing by the then Chairman of the Security Commission A. Stoianoglo. By this amendment, in above-mentioned law, the phrase "having suspensive effect" was added (to art. 14 of Law no. 190). This phrase allowed non-resident companies, whose bank accounts (to which transfers from the Russian Federation came) were blocked by FIU decisions, to unblock the accounts only by submitting to the bank a copy of the appeal on the decision to suspend financial operations, thus being facilitated the crime of money laundering.

21. According to the FIU, at that time the institution lodged 46 decisions to block suspicious transactions, but with no avail, for the reasons set out above. According to the FIU, this was one of the biggest impediments to stop the financial flows coming over three years from the Russian Federation.

22. On July 9, 2021, the "Laundromat" Report was published. According to the report, the creditor companies on the accounts of which the money were laundered through schemes through the Russian Federation, were connected to the group of companies affiliated to Veaceslav Platon, Vladimir Plahotniuc and Ilan Șor. During the press conference in which she presented the report, the President of the "*Laundromat*" Commission mentioned that during the conducted hearings, *the named Veaceslav Platon reported in a fragmented manner on how the Russian money were laundered through the Republic of Moldova and reached other jurisdictions consequently".*

Amendments to the Law on the Prosecutor's Office

23. On August 24, the Parliament adopted a number of amendments to the Law on the Prosecutor's Office. The amendments introduced mechanisms of disciplinary procedure and evaluation procedure of the General Prosecutor. Moreover, through this law it was set that in case of initiating a criminal investigation against the General Prosecutor, his/her mandate is suspended by law and the SCP appoints an interim General Prosecutor who cannot fill in this position for more than one year. At the same time, along with the suspension of the mandate of the General Prosecutor, the mandates of his/her deputies are also suspended.

24. The law also excluded from the SCP the Prosecutor General, the Head Prosecutor of ATU Gagauzia and the President of the Bar Union, and the age limit for the members of the SCP was set at 65 years. Reaching this age becomes reason for termination of the mandate. Following these changes, the term of office of the SCP member, Dumitru Pulbere, appointed by President Igor Dodon, ended. In his place, the President Maia Sandu appointed Svetlana Balmuș.

25. By a decision of September 2021, the Constitutional Court decided that the amendments to the Law on the Prosecutor's Office adopted on August 24, did not pose constitutionality issues. The Venice Commission is yet to comment on these amendments.

II. THE CRIMINAL CASE FILED AGAINST THE GENERAL PROSECUTOR

Complaints filed against Alexandr Stoianoglo

26. On April 6, 2021 the MP Inga Grigoriu filed a complaint with the SCP requesting the appointment of a prosecutor to investigate the facts elucidated in a journalistic investigation, according to which the wife of A. Stoianoglo had become the beneficiary of some companies belonging to Veaceslav Platon (for details see points 14-15). On May 4, 2021, the SCP sent to PCOCSC the notification submitted by Mrs Grigoriu. PCOCSC attached the complaint of the MP to the case file on „interference in the administration of justice and criminal investigation" initiated based on the facts mentioned in the journalistic investigation. This case does not examine the facts in terms of potential passive corruption of the General Prosecutor, but in terms of impeding his activity and compromising the resonance cases.

27. Mrs I. Grigoriu submitted another complaint on the signing by A. Stoianoglo of an amendment to the Law on Combating Money Laundering, which would have facilitated money laundering through the judiciary in the Republic of Moldova (for more details, see points 19-21). On May 12, 2021, the SCP informed I. Grigoriu that a notification had been made and explained the legal provisions. This letter was challenged in court in criminal procedure (art. 313 CPC).

28. On June 26, 2021, Mrs Grigoriu filed a criminal complaint with the SCP, accusing A. Stoianoglo of organising and directing the process of dropping charges against V. Platon. Through a letter of August 26, 2021, the President of the SCP, Angela Motuzoc, rejected the complaint. The former MP filed a complaint with the National Anticorruption Centre on the name of A. Motuzoc for exceeding attributions, on the grounds that she did not have the mandate to respond unilaterally to the criminal complaint, the examination of this matter being within the competence of the SCP.

29. On September 30, 2021, the Chairman of the Parliamentary Committee on Security, National Defence and Public Order and the PAS MP, Lilian Carp, submitted a criminal complaint with the SCP in respect of A. Stoianoglo. According to the complaint, the latter is accused of four counts, namely because:

   a. on April 6, 2011, when A. Stoianoglo was the Chairman of the Parliamentary Committee on Security, National Defence and Public Order, he signed an amendment to the Law on Preventing and Combating Money Laundering and Financing Terrorism by which it was introduced upon adoption in second reading the phrase "*having suspensive effect*", which facilitated the crime of money laundering (see points 19-21). According to the author of the complaint, these facts present the reasonable suspicion of committing the crimes of passive corruption (art. 324 CC) and abuse of office (art. 327 CC);

   b. on January 5, 2021, A. Stoianoglo's wife, Tvetana Curdova, became the beneficiary of some companies affiliated to V. Platon (see points 14-15), which could be qualified as passive corruption (art. 324 CC) and forgery in the declaration of assets and interests (art. 352¹ CC);

   c. organized and directed the actions of dropping charges against V. Platon, identical charges and reasoning to the one previously invoked by I. Grigoriu (see points 5-8);

   d. issued an order ordering the payment of the severance pay for the prosecutor Nicolae Chitoroaga, although the latter was criminally investigated for illicit enrichment. According to art. 62 para. (5) of the Law on the Prosecutor's Office, the payment of the indemnity in such situations is suspended, and in case the guilt is found, it is not paid. The author of the complaint states that there is a reasonable suspicion of committing the crime of exceeding duties (art. 328 para. (3) letter b) CC).

Examining the notification of the MP Lilian Carp by the Superior Council of Prosecutors

30. On October 1, 2021, at the initiative of 5 members, an extraordinary sitting of the SCP for October 4 was requested. The complaint of September 30, 2021 of the MP Lilian Carp should have been examined. However, it did not take place because only 7 out of 11 members were present. In order for the meeting to be deliberative, the presence of 8 members was required. According to the Minister of Justice, S. Litvinenco, member by law of the SCP, the President of the SCP, A. Motuzoc, allegedly sabotaged the respective meeting.

31. On October 5, 2021, the SCP met in an extraordinary sitting to examine the above mentioned matter. 10 members were present at the meeting. Mr Carp presented his notification. When debating the notification, MP Carp was asked by A. Motuzoc what proves the fact that the amendment signed by A. Stoianoglo would have facilitated the money-laundering scheme in particularly large proportions. MP L. Carp replied that the transcript of the vote at the sitting of the Parliament in which the amendment was voted should be checked for more details and that the ”Laundromat” report, also contains more details on this subject. A. Motuzoc was confused by the fact that the attached evidence was information regarding amendments related to the specialised (economic) courts. L. Carp replied that this information was presented to prove ”*the* link between V. Platon and A. Stoianoglo… (they) have joint actions on certain subjects… (and that) they concerted their activity in the then parliament”. The SCP member Inga Furtună asked L. Carp if he was personally aware of the information contained in the notification. He replied that this is public information, but so far, the prosecutor’s office has not taken any action on it. To other questions regarding the merits of the accusations brought by L. Carp, he answered that the actions mentioned in the notification are to be verified by the prosecutor dealing with the case if the SCP admits the notification.

32. During the debates on the notification, A. Motuzoc, raised the subject of inviting the General Prosecutor to the meeting as a party of the notification, based on the provisions of the Administrative Code, being supported by the member of the SCP Inga Furtună. The members of the SCP, Sergiu Litvinenco, Dorel Musteață and Natalia Moloșag argued that the examined issue is part of a criminal procedure, where a prosecutor is to be appointed to decide whether to start the criminal investigation. The proposal was rejected. Despite this, after about 10 minutes, the General Prosecutor intervened in the sitting asking to submit a request. The SCP member Sergiu Litvinenco protested, stating that Mr Stoianoglo had no status in the proceedings. After sending the request to Mrs Motuzoc, A. Stoianoglo warned the members of the SCP that they bear "contraventional liability for the decisions taken". S. Litvinenco draw the General Prosecutor’s attention that he was putting public pressure on the SCP members and that he had come to the meeting illegally. The request submitted by A. Stoianoglo turned out to be a request for recusal against five SCP members: Sergiu Litvinenco, Dorel Musteață, Lilia Potâng, Natalia Moloșag and Svetlana Balmuș. However, the issue was not put to the vote.

33. Towards the end of the sitting, A. Motuzoc mentioned that there had been previous complaints on the first three counts, on which there were various ongoing proceedings (see points 26-28), and proposed that their examination is suspended until the completion of these procedures. The majority of the SCP members did not support the proposal.

34. Following deliberations, SCP decided to appoint Victor Furtună, prosecutor of the Anticorruption Prosecutor’s Office to examine the issues raised in the complaint of the MP Lilian Carp, regarding the alleged crimes committed by the General Prosecutor, A. Stoianoglo.

Initiation of criminal investigation, searches and apprehension of A. Stoianoglo

35. On October 5, 2021, at 16:37, prosecutor Furtună signed the notice addressed to the President of the SCP on the initiation of criminal investigation against A. Stoianoglo on all 4 counts (see point 29). From the moment of the initiation of the criminal investigation on the name of A. Stoianoglo, the mandate of the General Prosecutor and the mandates of his deputies were suspended by law.

36. The suspended General Prosecutor announced a press conference at 18:00. At the same time, around 18:00, prosecutor V. Furtună accompanied by masked SIS officers, appeared at the headquarters of the General Prosecutor's Office and searched the office and apprehended the General Prosecutor for a period of 72 hours. About 3 hours later, A. Stoianoglo was escorted to his home where the search of the house took place. Being greeted by the press, before entering the house, A. Stoianoglo declared that the criminal case represents a „*revenge from the President of the country*".

The actions that followed A. Stoianoglo's apprehension

37. On October 6, 2021, the SCP elected Dumitru Robu, deputy prosecutor of Chisinau municipality as interim General Prosecutor. He has previously served as interim General Prosecutor in the summer-autumn of 2019, when he was appointed to this position by the Parliament (procedure later declared unconstitutional). During his short interim period, several cases of resonance were initiated (*against Vladimir Plahotniuc, Bahamas case, Chișinău Aerport case, etc.*), which have not, however, progressed significantly in the two years since they had been initiated.

38. On the same day, A. Stoianoglo's lawyer submitted a request for recusal against V. Furtună with the interim head of the Anticorruption Prosecutor's Office Adrian Bordeianu. According to an audio recording, which appeared in the media, A. Bordeianu asked V. Furtună for explanations on the request of the recusal. V. Furtună required to be sent the request for explanations in writing, saying that Mr Bordeianu does not have the mandate to ask for explanations, as he was appointed prosecutor on the case by the SCP. Bordeianu insisted and seemed quite disturbed by Furtună's refusal. On October 6, 2021, prosecutor V. Furtună filed a complaint with the SCP invoking pressures from A. Bordeianu. The SCP submitted the recusal request filed by the lawyers to the General Prosecutor's Office for examination. The request was rejected by the interim General Prosecutor.

39. In a subsequent statement, V. Furtună mentioned that he could not obtain a registration number for the case file of the suspended General Prosecutor until he addressed the SCP.

40. On October 8, 2021, the interim General Prosecutor created a criminal investigation group constituted of several prosecutors, led by V. Furtună to investigate the case of A. Stoianoglo. According to the press release of the General Prosecutor's Office, the prosecutor appointed by the SCP needed assistance in carrying out criminal investigation due to the complexity and social resonance of the case.

Legal proceedings and arrest of A. Stoianoglo

41. On October 6, 2021, the decision of the SCP of October 5, 2021 was appealed to the Chisinau Court of Appeal and the case was assigned to Judge Veronica Negru, who was on leave until October 15, 2021. Judicial proceedings on this case were to continue after the judge's return.

42. On October 8, 2021, V. Furtună submitted a motion for the application of pre-trial detention in respect of A. Stoianoglo. According to the prosecutor on the case, the suspended General Prosecutor is accused of committing five crimes: abuse of office, exceeding official duties, passive corruption, giving false statements and favouring an organised criminal group. In this regard, V. Furtună commented that "*Stoianoglo is the General Prosecutor of the Republic of Moldova and during the criminal investigation it was found that he favoured an organised criminal group (…) led by Veaceslav Platon – helped him to re-examine a final court judgement, escape detention, avoid suspicions on certain counts, apply other criminal schemes which at the moment are already implemented and in their incipient phase*".

43. On the day of examining the motion on the arrest, information that the suspended General Prosecutor was not allowed to hold confidential meetings with his lawyers within the court emerged. This information came from his lawyers and the MPs of the PSRM. The prosecutor on the case explained that the lawyers had unlimited access to confidential discussions, however,

during the court hearing other two lawyers appeared and requested confidential discussion, in this case the rules applicable to a detention isolator could not have been observed and there would have been the risk of transmitting prohibited objects. Subsequently, the General Prosecutor's office came up with a reaction to this situation, confirming what prosecutor Furtună had said and mentioned that, later, „*during the examination of the motion for application of the preventive measure, in the court premises, the accused was given the possibility to confidentially meet his defenders for about 3 hours*".

44. A. Stoianoglo's lawyers requested that the file examining the need to apply the preventive measure is transferred to another same level court, because allegedly Mr. Stoianoglo was in conflictual relationships with the Chisinau Court judges, Ciocana headquarters. The SCJ rejected the request. Subsequently, the same day, the defence requested the recusal of the judge Nicolae Corcea, accusing that "*there are suspicions on the objectivity of the magistrate*". This request was also rejected. Finally, judge N. Corcea partially admitted the request of the prosecution and applied house arrest for 30 days in respect of the suspended General Prosecutor.

45. After the ruling was issued, A. Stoianoglo made statements to the press. He mentioned that "*the prosecutor did not present any evidence on this case file, except for some "screenshots". While getting out of the court premises, he declared to the press and a larger public: (translated from Russian) "what is happening today is not only an attempt, but a capture of state institutions, which will certainly lead to usurpation of the state power and for surely lead to the same situation which occurred 2 or 3 years ago*".

46. On October 12, 2021, A. Stoianoglo's lawyers organised a press conference. During the conference, the lawyers rejected the accusations brought by the prosecutor V. Furtună to the suspended General Prosecutor, providing explanations in this regard. They also criticised the fact that the case file contains only documents taken from public sources and that the initiation of the criminal investigation took place in a too short 2 hours' time. One of the lawyers mentioned that on the day of his apprehension that A. Stoianoglo requested the suspension of the SCP's decision and according to the law, if the request for suspension of the administrative document is submitted, the entire procedure is to be considered suspended and all the actions carried out by the prosecutor are illegal. As to restricting the confidential discussion with their client, they mentioned to have had heated discussions on this issue, and later, the prosecutor allowed for the confidential discussion.

47. On October 15, 2021, the Chișinău Court of Appeal uphold the preventive measure of house arrest for 30 days in respect of Mr. Stoianoglo.

ABREVIATIONS

SCP	Superior Council of Prosecutors
SCM	Superior Council of Magistracy
NAC	National Anticorruption Centre
PCOCSC	Procuration for Combating Organised Crimes and Special Cases
FIU	Financial Investigation Office
CCECC	Centre for Combating Economic Crimes and Corruption
SIS	Security and Intelligence Service
CC	Constitutional Court
BCS	Block of Communists and Socialists
PSRM	Party of Socialists of the Republic of Moldova
PAS	Party of Action and Solidarity
CC	Criminal Code
CPC	Criminal Procedure Code

ABOUT THE AUTHOR

***Pavel GRECU** – expert in justice and human rights, member of the Group of Experts on Justice (GEJ). He previously worked as a Justice and Anticorruption Adviser to the Prime Minister of the Republic of Moldova and Legal Adviser at the Centre for Legal Resources of Moldova. Master of Laws (State University of Moldova).

Document reviewed by:
Iulian Groza, IPRE Executive Director (iulian.groza@ipre.md)
Ecaterina Popșoi, Project Coordinator, legal expert (ecaterina.popsoi@ipre.md)

The Institute for European Policies and Reforms (IPRE) was established in March 2015 as an independent, non-profit and non-partisan think-tank. IPRE's Mission is to accelerate the European integration of the Republic of Moldova by promoting systemic reforms, enhancing participatory democracy and strengthening the role of citizens in national and local decision-making

IPRE is a member of the National Platform of the Civil Society Forum of the Eastern Partnership (www.eap-csf.eu), co-initiator of the Eastern Partnership Think-Tank Forum launched in 2017 in Chisinau.

Address: București 90 street, of. 20
Chișinău, MD-2001, Republic of Moldova
Telephone: + 373 22 788 989
E-mail: info@ipre.md
Web: www.ipre.md

This document was prepared in the framework of the project "Strengthening the resilience against the systemic kleptocracy in the Republic of Moldova", implemented by IPRE and with the financial support of Soros Foundation Moldova. The content of the document represents the view of the IPRE experts responsible for drafting it and does not necessarily reflect the opinion of Soros Foundation Moldova.