



The President

Ms Domnica Manole
President
Constitutional Court
Moldova

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Strasbourg, 19 July 2021

Dear President Manole,

I have learned that the National Integrity Authority of the Republic of Moldova (NIA) requested from the Constitutional Court information and authenticated copies of all the jurisdictional acts proceedings declaring unconstitutional Decision no. 73 of 23 April 2021 of the Moldovan Parliament (Decision no. 13 of 27 April 2021 of the Constitutional Court). It seems that the NIA invited you for questioning as concerns your participation as a constitutional judge in these proceedings, which would amount to a conflict of interest.

On the basis of the applicable national legislation, the Constitutional Court already replied to the NIA that the review of the National Integrity Authority represents an interference in the independent activity of the Constitutional Court.

In this context, let me point out that in general, it is up to Constitutional Courts to decide on issues of the withdrawal of judges under the applicable legislation. Such decisions should be clear and well-reasoned. The Venice Commission is at your disposal for assistance if the Constitutional Court and the Moldovan authorities wished to further improve that legislation.

Yours sincerely,

Gianni Buquicchio