



Parlamentul
Republicii Moldova

18 Iulie VR nr. 35/02-12
2024

Deputat în Parlamentul Republicii Moldova

Biroul Permanent al Parlamentului Republicii Moldova

În temeiul art.73 din Constituția Republicii Moldova și art. 47 din Regulamentul Parlamentului, adoptat prin Legea nr.797/1996, se înaintează cu titlu de inițiativă legislativă, proiectul de hotărâre privind desemnarea unui membru în Comisia de evaluare externă a integrității etice și financiare a judecătorilor și a candidaților la funcția de judecător al Curții Supreme de Justiție și modificarea Hotărârii Parlamentului nr. 155/2023 privind confirmarea componenței nominale a Comisiei de evaluare externă a integrității etice și financiare a judecătorilor și a candidaților la funcția de judecător al Curții Supreme de Justiție

Anexă:

- proiectul de hotărâre;
- Curriculum Vitae.


N. Roșca

Deputat în Parlament

SECRETARIATUL PARLAMENTULUI REPUBLICII MOLDOVA	
D.D.P. Nr.	252
"18" Ora	07 2024

H O T Ă R Ă R E

privind desemnarea unui membru în Comisia de evaluare externă a integrității etice și financiare a judecătorilor și a candidaților la funcția de judecător al Curții Supreme de Justiție și modificarea Hotărârii Parlamentului nr. 155/2023 privind confirmarea componenței nominale a Comisiei de evaluare externă a integrității etice și financiare a judecătorilor și a candidaților la funcția de judecător al Curții Supreme de Justiție

În temeiul art.6 alin. (1) lit. b), alin.(5) și alin.(7) din Legea nr.65/2023 privind evaluarea externă a judecătorilor și a candidaților la funcția de judecător al Curții Supreme de Justiție,

Parlamentul adoptă prezenta hotărâre.

Art.1. – Domnul Willem BROUWER se desemnează în calitate de membru în Comisia de evaluare externă a integrității etice și financiare a judecătorilor și a candidaților la funcția de judecător al Curții Supreme de Justiție.

Art.2. – Articolul 1 din Hotărârea Parlamentului nr. 155/2023 privind confirmarea componenței nominale a Comisiei de evaluare externă a integrității etice și financiare a judecătorilor și a candidaților la funcția de judecător al Curții Supreme de Justiție (Monitorul Oficial al Republicii Moldova, nr. 200–203, art. 350 din 20.06.2023), cu modificările ulterioare, se modifică după cum urmează:

poziția „Maria Giuliana CIVININI” se exclude;

după poziția „Lavly PERLING” se introduce poziția:

„Willem BROUWER”.

Art.2. – Prezenta hotărâre intră în vigoare la data adoptării.

Art.3. – Prezenta hotărâre poate fi contestată în instanța de judecată în termenul prevăzut la art. 209 din Codul administrativ al Republicii Moldova nr. 116/2018.

PREȘEDINTELE PARLAMENTULUI

Enclosed in annex:

1. Candidates' Curriculum Vitae

In copy: Ms. Veronica Rosca, Chair of the Legal, Appointments, and Immunities Committee, Parliament of the Republic of Moldova, Veronica.Rosca@parlament.md

Annex

CV Willem Brouwer

Name:	Willem Brouwer
Date of birth:	March 31 1955
Place of birth:	Giekerk (Tytjerksteradiel)
Spouse:	Annelies Cloudt
Address:	
Phone number:	
E-mail:	
Current position:	(part-time) Judge 's-Hertogenbosch basic court (Rechtbank Oost-Brabant)
Job title:	Judge criminal chamber
University degree:	Tax law Tilburg University (1991)
Language skills:	Dutch, English, German, French
Member to:	European Association of Administrative Judges (within that frame work lectures on: "Mediation in tax matters" and "Border crossing VAT fraud") Short term expert in working groups of Lithuania and Bulgaria on recruitment and selection of judges,
Specialities:	Tax law esp. VAT, Criminal law Tax fraud
Former positions:	
September 2022-september2023	International observer I.M.O. Albania, vetting of judges and prosecutors
December 2014-July 2015	Vice-President Eulex Judges (Eulex Rule of Law Mission in Kosovo)

September 2014-July 2015	Vocal Point Eulex Judges Supreme Court/Appellate Court Kosovo (civil and criminal law)
August 2013-November 2014	Judge in the supreme Court of Kosovo Pristina
January 2012-July 2013	Judge Breda basic court tax team
April 2011-December 2011	On secondment to Roermond basic court criminal law
Since February 2005	Judge Breda basic court tax team
As well as: 2002-2005	Member of the delegation of the Ministry of Finance on the regular Benelux conference
As well as: 1997- January 2005	Attached to the Central Unit VAT Fraud FIOD –ECD Short term expert twinning project Latvia 2004 Short term expert twinning project Ukraine Various lectures on the fiscal approach of border crossing VAT fraud under which: Lille, conference EU Düsseldorf, Finanzministerium Nord-Rhein Westfalen
2001- January 2005	Senior inspector tax administration Maastricht
2000-2001	Tax administration Eindhoven team manager
1994-2000	Tax administration large enterprises Maastricht VAT
1991-1993	Tax administration Roermond (income and wages tax and VAT)
1980-1985	VAT Auditor Maastricht (Tax administration)
1976-1980	Customs & excise Gennep German border
Hobbies:	Cooking, Music, gardening

REZARTA GABA SCHUETZ

EMPLOYMENT HISTORY

Constitutional Court of Albania

Special Appellate Chamber for Vetting of Judges and Prosecutors

Appellate Judge

06/2017 – Present

The role involves scrutinizing appeals lodged by judges, prosecutors, or public commissioners, serving as the ultimate domestic instance. This occurs within a seven-judge chamber, functioning in five-member panels. The vetting process is grounded in asset evaluation, proficiency criteria, and background assessments. Responsibilities include case preparation, recommending additional investigation where necessary, presiding over or reporting to the panel on assigned cases, overseeing and guiding legal and financial advisors in drafting reports, proposing and reasoning final and intermediate decisions, and managing various tasks linked to adjudication in public or in-camera trials.

Over its nine-year tenure, the chamber also adjudicates appeals challenging disciplinary rulings issued by the High Prosecutorial and High Judicial Councils for judges, prosecutors and holders of particular senior positions within the judiciary. Disciplinary appeals address issues of ethics, misconduct, and gross negligence involving judges, prosecutors, justice inspectors, and other senior justice officials. Disciplinary cases are heard by panels of three judges or the entire chamber. Although the subject matter may differ, trial-related responsibilities mirror those associated with vetting appeals. Additionally, the position involves contributing to the joint managing body – the judges’ meeting – in addressing matters related to work performance, recruitment, budget management, and other administrative tasks.

Organization for Cooperation and Security in Europe (OSCE), Mission to Skopje
05/2010 – 05/2017

Deputy Head of Human Dimension Department 01/2017 – 06/2017
Chief of Rule of Law Unit 03/2014 – 12/2016
Senior Rule of Law Officer, Head of Judicial Reform Unit 05/2010 – 02/2014

As the officer responsible for the overall Rule of Law Unit programmatic and policy design portfolio, I oversaw all facets of management, staffing, and administration within a post-conflict environment. My role included supervising, coordinating, and providing policy guidance to focus areas on judiciary and human rights. This involved leading the development and implementation of projects and technical assistance with a focus on building capacities in the judiciary, prosecution, and Bar Association. Additionally, efforts were made to support equality infrastructure in the country and combat crimes of hate, with an emphasis on strengthening professional integrity and assisting civil society, legal academia, and other public institutions in these areas.

I conducted or oversaw research, as well as monitored, and analyzed judicial integrity, assessing its impact on fair trials. Throughout the program's development and implementation, I identified issues and implemented corrective measures. I organized, prepared, and supervised written outputs, including programmatic and policy assessments, background papers, and other exchanges required internally and externally. The dissemination of best practices, methodologies, and programs in areas of the rule of law mandate, including the independence of justice, tolerance, anti-discrimination, and legislative reform, was a crucial aspect of the role.

In the capacity of Deputy Head of Department, I served as the first-level supervisor for 30 staff members overseeing four cluster projects. These projects encompassed judicial reform assistance, combating hate crimes and hate speech, equality projects, democratic governance, social cohesion, and minority rights.

In my previous role as the Senior Rule of Law Officer, I managed a broad range of duties, including analyzing all issues falling under the mandate of Judicial Reform. I designed and oversaw project implementation within allocated budget lines, supervised trial monitoring for high-profile cases with potential ramifications for the country's stability, and prepared comprehensive reports. I monitored the operations of other national stakeholders crucial to the independence of judiciary efforts, supported the preparation of draft legislation, and managed a team of nine professionals, including two international rule of law officers.

United Nations Mission in Kosovo, Department of Justice 10/2000 – 10/2008
Legal Officer

At the Supreme Court 03/2007 – 10/2008

Advised international judges in appellate proceedings of serious crimes; managed appellate registry; drafted court documents, analyzed issues in each case at bar, researched domestic and international applicable law and assessed evidence; represented the division in relations with the local counterparts as well as parties in proceedings; supervised and trained support staff.

At Legal Unit of Judicial Division 08/2003 – 03/2007

Provided legal and policy advice to Head of Division (HoD) in procedural aspects of court management, implementation of mandate and issues of legal policy; handled case assignments on behalf of HoD, ensuring transparent and timely processing of cases for three to five regions; chaired two justice reform projects on behalf of the department (case management & and criminal procedure legislative amendments working group); reported and briefed HoD and Director of Department of Justice as tasked; represented the division.

At District Court level

10/2000 – 08/2003

Drafted judgments, rulings and summaries; analyzed issues, researched applicable law, evaluated evidence and recommended actions for prompt and appropriate handling of cases in the investigation or trial phase; liaised with prosecution, police and defense in all cases at issue.

American Bar Association, CEELI, Tirana, Albania

08/1998 – 10/2000

Senior Rule of Law Staff Attorney

Developed and implemented rule of law projects, providing guidance to the legal community to promote initiatives aimed at reforming the judiciary. Assisted in the institutional building efforts of the Magistrates' School and Law Faculty, including the establishment of a transparent admission process, development of a curriculum, and coordination of donor efforts. Played a key role in legislative drafting efforts and the launch of the current Constitution.

In the capacity of Acting Head of Office, effectively managed human resources, financial matters, and operational tasks. Represented the organization in contacts with all clients.

**Customs Assistance Mission, European Commission
Tirana, Albania**

12/1997 – 08/1998

Consultant, Legal Adviser

Drafted a new Customs Code by adapting new concepts from the European Customs Code along with new terminology, upon comparing its usage in regional languages. Led working group meetings and reflect changes agreed on in the draft.

Ministry of Agriculture and Food, Tirana, Albania

03/1993 – 11/1997

Acting Head of the Legal Office (1994-1996)

Delivered comprehensive in-house legal counsel, offering insights into the legal implications of implementing property reform, privatization, and the overhaul of government-owned enterprises in the food processing and agricultural sector. Spearheaded the drafting of new legislation and actively participated in government meetings to advocate institutional policy and legislative initiatives. Coordinated, proposed, and executed technical assistance efforts, representing the institution in various boards and working groups. Handled litigation matters in both domestic and foreign judicial and arbitral bodies, drafted contracts and diligently followed up on contractual issues with counterparts. I also generated a substantial amount of legal correspondence, accompanied by expert legal advice, for individuals or prospective investors.

ADDITIONAL EXPERIENCE

Lecturer at the Magistrates' School and at the University of Tirana Law Faculty 1999-2000

Prepared and taught novel courses in legal education in interactive fashion in Judicial Ethics, Legal Writing & Reasoning and Comparative Constitutional Law. Introduced 'open book exams' practice.

EDUCATION AND TRAINING

University of Wisconsin, Madison Law School – Master's Degree in Law, September 1997

University of Tirana Law School – Bachelor's Degree in Law, July 1992

Additional Work-Related Courses:

- Management Development Program Training
- Project Management
- Diplomatic and Negotiation Skills Training
- Armed Conflict, Human Rights and Humanitarian Law (e-Learning Course)

- Training in Peace Building in Post Conflict Areas (University of Pisa, Scuola Superiore Santa Anna, Italy)

LANGUAGES: English, Albanian, Italian – Native or Nearly-Native
Macedonian – Basic

PROFESSIONAL MEMBERSHIP: Admitted to the Bar (Albania)

AWARDS/DISTINCTIONS: 2016 Recipient of ‘Certificate of Outstanding Performance’
OSCE Mission to Skopje