



Parlamentul  
Republicii Moldova

OS nr. 35  
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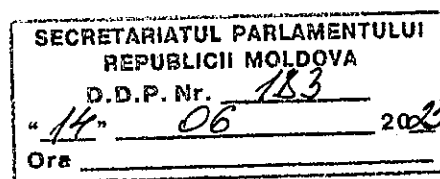
## Deputat în Parlamentul Republicii Moldova

### 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 privind evaluarea 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.



Deputat în Parlament

*Olesca Ștefan Ștefan*

**H O T Ă R Ă R E**  
**privind desemnarea unui membru în Comisia de evaluare privind evaluarea 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. a) 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 Andrei BIVOL se desemnează în calitate de membru în Comisia de evaluare privind evaluarea externă a integrității etice și financiare a judecătorilor și a candidaților la funcția de judecător al Curții Supreme de Justiție.

**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 nr. 116/2018.

**PREȘEDINTELE PARLAMENTULUI**

**IGOR GROSU**

# CURRICULUM VITAE

**Andrei Bivol**

**Attorney | Arbitrator | Legal Expert**

**Work experience – 12+ years**

42 Mihai Eminescu Str., office 12

Chisinau, MD-2012, Moldova

## 1. Studies

**Institution:** Moldova State University, Law Faculty, Master of Laws.

**Period:** 2010 – 2012 (Average grade: 9,85/10)

**Institution:** Moldova State University, Law Faculty, Bachelor of Laws

**Period:** 2006 – 2010 (License Exam: 9,30/10)

## 2. Work experience

- 19 May 2023 – present, "**Andrei Bivol**" Law Offices
- May 2020 – May 2023 – Founding Partner at "**BIVOL SOȚCHI & PARTNERS**" Law Firm
- March 2020 – present – Co-founder & Legal Expert at "**BIVOL & ASOCIAȚII SRL**" (formerly "**FIDES BSP**" SRL)
- 30 July 2010 – February 2020, a lawyer at "**HANGANU TĂNASE & PARTENERII**" Law Firm.  
Last position in the company: **Partner**

## 3. Professional affiliations

- 14 June 2012 – present, member of the **Moldovan Bar Association**.
- March 2019 – present, Trainer at the **Lawyers Training Centre of the Moldovan Bar Association**.
- February 2022 – present, **Member of the Press Council ("Consiliul de Presă")** of the Republic of Moldova (mass-media ethical & dispute resolution body).
- October 2022 – present, **Member of the Board of the Lawyers Training Centre of the Moldovan Bar Association**.

## 4. Professional experience

### ▪ **National Court Litigation**

Legal assistance and representation provided to claimants and respondents before the Moldovan national courts at every level of jurisdiction (district courts, courts of appeal and supreme court of justice) in **over 100 civil and commercial cases**. The cases concerned various legal matters such as contract enforcement, investment protection, corporate and shareholder disputes, administrative contracts, public-private partnerships, trademark and copyright infringement, competition, licenses, and operational certificate issuance, etc.

### **Notable Cases:**

- a. Representation to **Danube Logistics SRL** and their shareholder in a dispute connected to the ownership over the company (2017-2018).
- b. Representation to **MGH Ground Handling** in a competition dispute against Avia Invest SRL and the Competition Council (2015-2017).
- c. Representation to **Airservice** in a dispute connected to the rights over their trademark against Servisair UK Ltd. (2014-2015).
- d. Representation to **C.H.Beck** Publishing House and a number of German e-commerce entities in copyrights disputes against a Moldovan claimant (2013-2020).

- e. Representation to **Moldavian Airlines** in administrative disputes connected to the issuance of flight authorisation and damages recovery (2013-2015).
- f. Representation to **Orange Moldova** and **Orange Brand Services** in the procedure of acquiring the well-known status for ORANGE trademark (2012-2013).
- g. Representation to **Carpat Air** in commercial and consumer rights dispute (2011-2013).

- **International litigation practice**

Over the years I assisted and represented private and public entities in international litigation in front of International Institutions and foreign courts of justice:

- a. Representation before the **European Court of Human Rights** to applicants in **over 40 cases** (raised against the Republic of Moldova and the Russian Federation). Many of these were already solved in favour of the clients by the decision or judgment of the Court (*Mitrofan v. Moldova*, *B. v. Moldova*, *Octavian Dorogan v. Moldova*, *Thomas Arend v. Moldova*, *Ciornea v. Moldova*, *Mangir și alții v. Moldova*, *Coteț v. Moldova*, *Litschauer v. Moldova*, *Heross Ltd. v. Moldova*, *Mihailov v. Moldova*, *Solonari & Suravscaia*, etc.).
- b. **Assisting the Moldovan Government** in the case of *Gater Assets Ltd. v. Republic of Moldova*, *Moldova Gaz and Gazsnabtransit SA* examined by the Second Circuit US Court of Appeals (local counsel to Steptoe) (2020-2021)
- c. **Assisting the Moldovan Government** in the case of *Stileks (Komstry, Energoalians) v. Moldova*, concerning the discovery and annulment of the Energoalians 2013 ICC Arbitration Award (local counsel to SLV Legal).

- **National & International Arbitration**

Since 2019 I started developing a practice in national and international arbitration, commercial and investment. I practiced arbitration both as a counsel to a party and as an arbitrator.

- a. Counsel for the **Moldovan Government** in an ICSID investment arbitration case *Rotalin Gas Trading vs. Republic of Moldova* arising out of investments in gas distribution networks under ECT (2022-present).
- b. Counsel for the State Enterprise "**State Road Administration**" in an UNCITRAL arbitration arising from a World Bank construction works contract, (2022 - present).
- c. Counsel for the State Enterprise "**State Road Administration**" in a FIDIC MDB arbitration under UNCITRAL rules examined at the Permanent Court of Arbitration in the Hague (2021 - 2023).
- d. Legal expert for the State Enterprise "**State Road Administration**" in international arbitration under UNCITRAL rules examined by an *ad-hoc* Tribunal in Geneva, Switzerland (2020 - 2022).
- e. Counsel for "**CET-Nord**" SA in international arbitration arising from a European Bank for Reconstruction and Development works contract, examined by the International Commercial Arbitration Court attached to the Moldovan Chamber of Commerce and Industry (2021).
- f. Counsel for the State Enterprise "**State Road Administration**" in an arbitration arising from a World Bank construction works contract, examined by the International Commercial Arbitration Court attached to the Moldovan Chamber of Commerce and Industry (2020-2021).
- g. Counsel for the State Enterprise "**State Road Administration**" in an arbitration award set-aside procedure in front of the Moldovan courts of justice (2022)
- h. **Arbitrator<sup>1</sup>** at the **Court of Arbitration of the International Transporters Association from Moldova** (2019 – present, arbitrated 6 cases, in 4 of which I acted as president of the tribunal).
- i. **Arbitrator<sup>2</sup>** at the **Chisinau International Court of Commercial Arbitration of the American Chamber of Commerce in Moldova (AmCham)** (2021-present).

- **Legal consulting for companies, international and institutional donors or implementing entities in Moldovan projects**

I provided legal consulting in connection to various fields of Moldovan law (corporate law, contract law, construction and real estate, competition, intellectual property, etc.) to international and local

<sup>1</sup> [https://aita.md/Fisiere/Curtea\\_de\\_arbitraj/Lista\\_Arbitrilor/Lista%20arbitrilor%202021%20Final.pdf](https://aita.md/Fisiere/Curtea_de_arbitraj/Lista_Arbitrilor/Lista%20arbitrilor%202021%20Final.pdf)

<sup>2</sup> <https://www.amcham.md/cacic/?go=arbitri&n=17>

companies and organizations such as Hewlett-Packard, Oriflame International, Synevo, Medicover, Carpatair, Danube Logistics, Edenred, Edifecs Inc., Paynet, Tacit Knowledge, Inther BV, Contave (Epydoc), Kaufland, Fagura, CNFA Moldova, Friedrich Naumann Stiftung, GIZ Office Moldova, DEXIS, IREX, National Centre for State Courts, ABA ROLI, etc.

▪ **Legal expertise in legislation and policy analysis and drafting projects and development projects**

a. Consulting services in the context of preparation of the possible KfW commitment "Moldovan SME Support Fund" (ODA/FACEM) as legal expert contracted by **Berlin Economics (for KfW)** (April-June 2023).

b. Legal expertise in drafting the Moldova legal framework regulating crowdfunding in the capacity of national legal expert contracted by the **German Development Cooperation Agency (GIZ GmbH)** in the Project "*Wirtschaftspolitische Beratung der moldauischen Regierung*" (April 2020 - December 2022), Beneficiary – Ministry of Economy. The deliverables provided in the project were:

- Concept Note on the law on crowdfunding
- Draft of the law on crowdfunding
- Draft of amendments to other affected laws
- Draft of the Informative Note
- Draft of the Impact Analysis Report
- Table of differences
- Concordance table between the draft law and relevant EU Regulation

c. Legal expertise in the development of the concept and legal framework for the Entrepreneurship and Economic Growth Fund (FACEM) administered by the Organization for Entrepreneurship Development (ODA) in the capacity of legal expert contracted by **Berlin Economics (for GIZ)** (November 2021 – June 2022), Beneficiary – Ministry of Economy/ODA. Project deliverables were:

- Brief analysis of the current gaps in access to finance for SMEs in Moldova.
- A comprehensive public policy proposal document on the creation of the Development Fund for SMEs. (drafting and presentation to the Beneficiary)
- Review of the of the ODA draft Statute (latter adopted by **Government Decree no. 487/2022**).
- Supportive documentation: Draft Regulation of the Fund (adopted by **Government Decree 94/2023**); Draft collaboration agreement with partner financial institutions.

d. Legal expertise in the Project "*Support to Moldovan media and innovative media literacy efforts*" financed by **Swedish Government and USAID**, implemented by Internews (May-August 2021). The deliverables of the project were:

- Analysis of the Moldovan legislation, financial and banking environment, and local payment system for launching donation and subscription platforms for media.
- Interviews with the stakeholders (media organizations, financial organizations, etc.)
- Official requests for information from banks, the National Bank of Moldova, and payment services companies.
- Drafting a Findings Report with all the issues and potential solutions.
- Final activities Report.

e. Legal expertise in drafting the Law on compulsory insurance for the liability for industrial dangerous objects in the **EU Project** "Support to Quality Infrastructure Framework within DCFTA context in the Republic of Moldova" (EuropeAid/138295/DH/SER/MD) (July-August 2020), Beneficiary - Ministry of Economy. The deliverables provided in the project were:

- Draft of the law on compulsory insurance for the liability for industrial dangerous objects;
- Informative Note;
- Impact Analysis Report;
- Mission Report.

f. Legal expertise in drafting the “*Analysis on the freelancers’ contributions to the medical and social insurance systems*” and subsequent amendments to the existing legislation in order to integrate the freelancers in the general systems of the medical and social insurance, in the capacity of legal expert contracted by **German Development Cooperation Agency (GIZ)** in the Project “*Wirtschaftspolitische Beratung der moldauischen Regierung*” (March – August 2020), Beneficiary- Ministry of Health, Labour and Social Protection. The deliverables provided in the project were:

- Analysis of freelancers’ contributions to the RM public social and medical insurance systems;
- Legal amendments on freelancers’ incorporation into the general public social and medical insurance systems;
- Welfare effects;
- Informative Note
- Presentation of the deliverables to stakeholders (Meeting + PPT Presentation)

g. Legal expertise in drafting and implementation of “Prima Casă” (“First House”) Program in Moldova, in the capacity of national legal expert, contracted by **German Development Cooperation Agency (GIZ)** in the Project “*Wirtschaftspolitische Beratung der moldauischen Regierung*” (October 2017 – April 2018), Beneficiary – Ministry of Finance. The deliverables provided in the project were:

- Analysis of the pre-existing international practices and similar state programs in the region. The analysis of the national legislation in order to make the necessary amendments in order to ensure a smooth and effective implementation of the Program.
- The amendments to the draft of the **Law on measures for implementation of the State Program “First House” no. 293 approved on 21 December 2017;**
- The amendments to the existing connected legislation in order to fit the Program into the existing legal framework (Enforcement Code, Law on public duty, state guarantees and state lending, Law on mortgage etc.), **adopted by the Law no. 294 of 21 December 2017.**
- Rules of implementation of the State Program “Fist House” **adopted by Government Decree no. 202 of 28.02.2018;**
- The framework contracts for the implementation of the Program (State guarantee contracts; mortgage contract) approved by the **Ministry of Finances Order no. 73 of 28 March 2018.** The framework cooperation agreement between the Ministry of Finances, ODIMM and the private banks;
- Informative notes to all the above mentions legislative and regulatory acts.
- Assisting the Beneficiary in all the public debate hearings on the drafts with the implication of all the stake-holders and interested authorities; Drafting the tables of divergences and reasoning the acceptance or rejection of proposals from the stake-holders;
- All the delivered documents were drafted in Romanian and Russian.

h. Consulting to the **Moldovan Ministry of Education** in the capacity of legal expert hired by the **European Union** in the Project of Support to VET Sector (EuropeAid/133700/C/SER/MD/12, Contract No: ENPI/2013/33-798) (July-October 2016). The deliverables of the project were:

- Draft of Government Decree providing a methodology of changing the legal status of unused real estate of educational system from public to private property of the state;
- The informative note;
- Divergence table with the arguments for admission or rejection of amendments received from interested authorities.

i. Assisted **Hewlett-Packard** in the Project for developing the **Financial Management Integrated System of State Treasury**. The Beneficiary of the project was the Ministry of Finances, the funding was provided by the **World Bank** (2013-2015). I provided the following services:

- Legal consulting on various fields of Moldova law (commercial, fiscal, labor etc.);
- Reviewing and drafting the Development Services Agreement and the following Addendums to it;
- Assisting the HP Project Team during the meetings and negotiations with the Beneficiary;
- Drafting the official correspondence between the HP Project Team and the Beneficiary.

j. Assisting and representing **Edenred**, in the public debates and adoption process of primary and secondary legislation on meal vouchers (2016-2018). During this period, I reviewed the drafts of laws and regulations elaborated by the Government/Ministry of Finances; provided comments and amendments to improve the official drafts that were later sent to the authorities and eventually inserted in the final drafts of the **Law on meal vouchers no. 166 of 21 September 2017** and the **Rules on meal voucher operations approved by Government Decree no. 227 of 12 March 2018**.

## 5. Scholarships and awards

- **Fellow of the Marshall Memorial Fellowship (MMF) of the German Marshall Fund of the United States (GMF)** between April 2018 – 25 October 2018.

MMF is GMF's flagship leadership development program created in 1982 to introduce a new generation of European leaders. The program relies on a period of distance learning and a field trip in the USA. The 6 months of distance learning were focused on current leadership issues in the world. The 24 days of first-hand experience in the USA facilitated the knowledge and network development for effective transatlantic engagement.

- **Diploma of Excellence of the Moldovan Bar Association** (October 2020).
- **Diploma of Honour of the Moldovan Bar Association**, (September 2022).

## 6. Professional skills

Legal writing – drafting laws, regulations, briefs, and other legal documents; ability to craft winning arguments; excellent research skills – abilities to analyse and synthesize vast amounts of information with an eye for detail; excellent oral and written communication skills.

## 7. Auxiliary skills

**Social skills:** Methodical ability to deal with complexity; out-of-the-box thinking; mission-driven; results-driven; integrity; intercultural awareness; professional presence; emotional intelligence; adaptable to change.

**Languages:**

1. Romanian – native language.
2. English – fluent (C2, TOEFL 116/120 (2022).
3. Russian (Reading C2, Writing C1, Speaking B2).

**Computer skills:** Use of online means of communication.  
Standard applications (Windows/Mac);  
Advanced user of documents editing applications (MS Word, MS PowerPoint, etc.).