

GRECO: Ad hoc Report on Romania



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European Law Forum: Prevention • Investigation • Prosecution

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News

On 11 April 2018, GRECO published an *ad hoc report on Romania*, expressing concern over certain aspects of the laws recently adopted by Parliament on the status of judges and prosecutors, on its judicial organisation, and on the Superior Council of Magistracy as well as on draft amendments to criminal legislation. The evaluation was carried out in an extraordinarily urgent manner, as the recent reforms could imply serious violations of anti-corruption standards.

GRECO calls upon Romania to abandon, in particular, the creation of the new special prosecutor's section for the investigation of offences in the judiciary and to introduce additional safeguards in relation to appointments and dismissal procedures for senior prosecutors by the executive branch of power. The report also puts its finger on the draft amendments to criminal legislation, which, if adopted, would clearly contradict the Criminal Law Convention on Corruption. Additionally, foreign countries perceive the planned amendments to criminal procedure as a threat to the effectiveness of mutual legal assistance.

In the end, the report criticises a series of draft laws, which would considerably weaken the incriminating effect of various corruption-related offences in the Criminal Code. If adopted, bribery and trading in influence would no longer apply to elected officials, and abuse of office would be completely decriminalised for damages up to €200,000.

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