

***STRENGTHENING THE RULE OF
LAW AND FIGHT AGAINST
CORRUPTION***

Sovata, the 6th of July 2006



LAURA STEFAN

DIRECTOR

**DEPARTMENT FOR THE
RELATION WITH THE PUBLIC MINISTRY
PREVENTION OF CRIMINALITY AND CORRUPTION**

**MINISTRY OF JUSTICE
ROMANIA**



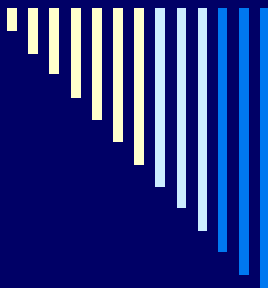
EVOLUTION 2004 – 2006

2004

**Safeguard Clause in the European Union
Common Position on reform of the judiciary and
fight against corruption**

2006

**The reform of the judiciary and the fight against
corruption not among the areas of serious
concern**



European Union Common Position 2004

- To develop and implement an updated and integrated Action Plan and Strategy for the Reform of the Judiciary, by March 31, 2005**
 - To conduct an independent audit of current National Anti-Corruption Strategy (2001 - 2004), by March 31, 2005**
 - To adopt a new multi-annual anti-corruption strategy, by March 31, 2005**
 - To ensure the effective independence of the National Anti-Corruption Prosecutors' Office (NAPO)**
-



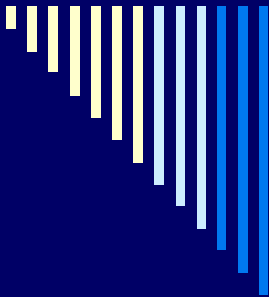
ROMANIAN RESPONSE TO THE EUCP REQUIREMENTS

- **Independent audit on the impact of the National Anti-Corruption Strategy 2001 – 2004 conducted**
 - **New strategies and action plans on the reform of the judiciary and fight against corruption (2005 – 2007) with deadlines, benchmarks, guaranteed budgetary resources and clear institutional responsibilities adopted**
 - **Monitoring bodies for the implementation of the two strategies set-up**
-



Rule of law – prerequisite for the fight against corruption

- Justice as a public service**
 - Last resort for possible shortcomings in other systems**
 - Increasing independence and accountability within the judiciary**
-



Independence of the judiciary system

- Career of magistrates entirely within the competence of the Superior Council of the Magistracy (SCM) – including disciplining power**
 - Full independence of the judges**
 - Functional independence of the working prosecutors**
 - Prohibition to reassign cases to prosecutors**
 - Random distribution of cases in all courts**
-



Accountability of the judiciary system

- Introducing the principle of managerial responsibility for leading prosecutors**
 - Increasing the powers of leading boards within courts and prosecutors' offices**
-



Reform of the judicial system

- ❑ **Increase in all budgets of the judiciary**
 - ❑ **New IT system - 18.5 million Euro spent in 2005-2006**
 - ❑ **Rehabilitation of infrastructure the judiciary – 110 million Euro World Bank loan**
 - ❑ **Training judges and prosecutors**
 - ❑ **Unification of jurisprudence**
-



NATIONAL ANTICORRUPTION STRATEGY 2005 – 2007

- Prevention, Transparency, Education**
 - Combating corruption**
 - Internal Co-operation and International Coordination**
-



Transparency, Prevention, Education

- **Increasing transparency and integrity**
 - **Preventing corruption in the business environment**
 - **Information campaigns**
-



Transparency and integrity

- **New templates for statements of wealth and interests**
 - **New laws on: granting of non-reimbursable financing contracts from public funds; allocation of public funds for advertisement; financing of political parties; public procurement**
 - **Monitoring the implementation of the transparency laws**
 - **Developing control plans in vulnerable sectors**
-



Preventing corruption in the business environment

- ❑ New legislation on bankruptcy**
 - ❑ Abolish the rescheduling of or exemption from payment of debts to the state**
 - ❑ Criminal sanctions for tax evasion**
 - ❑ Alignment of the legislation on money laundering and terrorism financing to the EU acquis**
-



Information campaigns

- **Awareness and information campaigns on the effects of the corruption were launched or will be launched by:**
 - ❖ **General Anticorruption Directorate**
 - ❖ **Ministry of European Integration**
 - ❖ **Ministry of Justice**
 - ❖ **the Prime Ministry's Chancellery**
 - **The Department for Fighting Fraud launched an awareness campaign on preventing the fraud of the European Communities' funds**
-



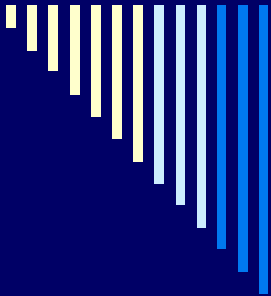
Combating corruption

- ❑ **Increasing the integrity and resistance to corruption of the judiciary system**
 - ❑ **Strengthening the institutional capacity of the NAPO**
 - ❑ **Revising the criminal procedure**
-



Internal Co-operation and International Coordination

- Council for the coordination of the implementation of NAS 2005-2007 – the monitoring authority of the strategy**
 - Improving the coordination between the structures involved in the fight against corruption**
-



LAURA STEFAN

Director

MINISTRY OF JUSTICE

Romania

laura.stefan@just.ro
