

Press release

Personalizing the simple motion adopted by the Senate failed the background debate

Transparency International Romania protests against the content and the debating manner, in the Romanian Senate, of the simple motion called "The lie – the truth of the Macovei justice" and considers that this demarche may jeopardize the efforts to bring the Romanian judicial system to the minimal European standards for a service of public interest for the citizens. In TI-Romania's opinion, the motion is superficially and politicized and it ignores the fundamental principle of the independence of justice.

If the motion would have been based on a serious analysis of the judicial system, it would have been obvious that some critiques should not be addressed to the Ministry of Justice, but to the Superior Council of Magistracy. We consider that, by invoking the unconstitutionality of the responsibilities transfer from the Ministry of Justice to the Superior Council of Magistracy, recognized as the guarantor of the independence of justice, the image of this institution and of the entire magistrates' body were used with illegitimacy in a political dispute.

The authors and the sustainers/advocates of the motion ignore the fact that often the Ministry's efforts were not parliamentary sustained, now being criticized exactly the same things that couldn't be realized from this cause. For example, the parliamentary debates concerning the Criminal procedure code or the ones regarding the National Agency for Integrity can be relevant.

Transparency International Romania considers that the manner of formulating and debating the simple motion, far from being relevant as a point of view over the justice, can affect the institutions' and the implied actors' (Ministry of Justice, SCM, magistrates) capacity of realizing their mission. In the same time, Transparency International Romania draws the attention upon the fact that Romania is still in a monitoring process on behalf of the European Commission and that this sort of initiatives can only amplify the risk to activate the safeguard clause in the justice field.