
Press release

The leeway of the rule of law

The Romanian political class refuses to put into practice the separation on powers principle

The cosignatory organizations deeply concern about the political class tendency of discrediting the anticorruption activities and the attempts of consolidating the Rule of law institutions. The deputies' majority vote from the extraordinary session from 13th August 2008 in the Nastase and Mitrea cases gives a strong stroke to the separation of powers and to the justice independency. By pronouncing themselves in a legal question on which they do not hold any competence, the deputies ignored both the Constitution and the good governance practice.

By ensuring legal immunity to some politicians that became parliamentarians in the virtue of the citizens vote and ministers for assuring the common good, the deputies that voted against the press of criminal charges for Adrian Nastase and Miron Mitrea created a certain type of special protection that transforms the independence of the parliamentarian-ministers in political unaccountability and civic disesteem.

Affixing to the non-argued proposal of the Minister of Justice Cătălin Predoiu of dismissing the chief of the National Anticorruption Directorate, the deputies' vote from 13 August compromises the justice's activity and amplifies the crisis of trust the citizens have in the Parliament as a fundamental democratic institution. There is no plausible justification for such a situation, as much more so as the lack of positive evolutions in the fight against corruption, especially that concerning high officials and politicians, affects the Romanians' efforts of adapting to the new European context, after the 2007 adhesion to the European Union.

The high resistance to any form of public and legal control of the politicians' activity, as well as the refuse to accountably assuming their political and legal attributions issued by the quality of being a public official, denotes an irresponsible political activity that jeopardizes the Romanian democracy.

The signatory organizations request to all the public institutions, to the parties and to the politicians to urgently react in the direction of re-establishing the normal, unaffected by political interventions functioning of the rule of law and to ensure the independence of justice. Also, we require the political parties to sustain by concrete actions, not only by rhetorical ones, the promise made this week, to action in the direction of fulfilling the punctual engagements took by our country in front of the EU, in order to avoid the safeguard clause activation on justice and to finally pull off Romania from the monitoring process.

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Signatory organizations:

Advocacy Academy

The Agency for Press Monitoring

The Civic Alliance

The Center for Public Policies Alliance

Pro Democracy Association

CENTRAS

Euro Regional Center for Democracy

The Resources for public participation Center

Freedom House Romania

The Foundation for the Civil Society Development
The Romania Academic Society
The Society for Justice (SoJust)
Transparency International Romania