

The Nastase Case is a Litmus Test for the Anti-Corruption Fight in Romania, says a German MP

Romania must comply with the minimum E.U. standards in what concerns the mutual recognition of sentences in the member states, and the Nastase Case is a litmus test for the credibility of the fight against corruption, stated yesterday at the Bundestag the German Minister of Justice, Brigitte Zypries and the M.P. Gunther Krichbaum.

"I want to be very open about it and say that I do not understand the decision of the Legal Committee of the Chamber of Deputies to advise against the starting of the criminal investigation in the Nastase Case. We regard the Nastase case as a litmus test for a credible fight against high-level corruption. I don't think there is a more visible representative of this ill-fated area. That is why we would like an independent criminal investigation, free of political interference, in which a guilty or not guilty verdict is established exclusively on strict juridical criteria, according to the rule of law", said Gunther Krichbaum, the President of the European Affairs Committee of the Bundestag, the lower chamber of the German Parliament. Krichbaum made a presentation of the four benchmarks of the co-operation and verification mechanism imposed on Romania, which the European Committee will evaluate in its next report, on the 23rd of July.

The conference "The Economic and Juridical Evolutions in Romania after the EU accession", took place on Friday at the German Parliament, under the high auspices of the Justice Minister Brigitte Zypries. She underlined that the new member state must respect "minimal standards", so that the mechanism of mutual recognition of sentences in the European space function well. "Otherwise there are difficulties in what concerns the mutual recognition. That's why, it is my aim to plea for the compliance with these minimal standards within the E.U., especially in what concerns criminal law, and I would be happy if we could do this together in the future as well", said Zypries, making allusion to the possibility of the activation of the safeguard clause by the E.C., which would forbid Romanian court sentences from being recognized in the European space.

Zypries underlined that Germany will continue to support Romania in the consolidation of the judiciary: an essential condition for the numerous German investors who are already in Romania or plan to settle there. "Judicial safety does not only involve clear norms, but also applying these norms through unitary court sentences. The independence of courts, as well as the fight against corruption, which has also economic implications, are, of course, very important.", underlined Zypries.

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Stefanie Ricarda Roos, the coordinator of the project Rule of Law in Eastern Europe concluded, based on her experience in Romania that “the lack of political will is one of the main causes for which high level corruption is not fought against in a more efficient manner.”

In the opinion of the vice-President of the Bundestag, Susanne Kastner, “the time for celebration is over”. A lucid and correct analysis of what was achieved and of what was not achieved is needed, especially in what concerns the harmonizing of the judiciary to the EU norms, in fighting corruption and in what concerns restitution of property to the German minority.

The Romanian Justice Minister, Catalin Predoiu, present at the conference, assured the German MPs and investors that the executive is totally committed to the acceleration of the justice reforms, so that the mechanism of co-operation and verification of the E.U. may be lifted. Regarding the arrears Romania has, Predoiu said that these are not just the fight against corruption, but also the unification of case law – which is an area of interest especially for investors. “It is unacceptable to get a type of sentence in Bucharest and a totally different one in Sibiu for similar cases. It is also unacceptable to have, within the same court, different decisions in similar cases”, said Predoiu, mentioning that the Civil Procedure Code, which will unify several technical details, is undergoing public debate.

Predoiu said that in the last months he paid several official visits in member states, such as Germany, in order to explain “the reality of reforms” in Romania, because he noticed that many times the perception is different from what really happens in the country.

“I don’t mean to say that things are solved, but with no reserve I declare that in the past months there has been progress. And it is not because the Justice Minister was changed, but because some processes which started a long time ago have reached maturity and are being implemented”, concluded the minister, who took the Justice portfolio three month ago. The Minister underlined in front of the German hosts that Romania must part with its “candidate country mentality”.

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