

DECLARATION

We have followed with the highest interest the development of the discussion on the Statute of public prosecution in Romania.

We are convinced that the exercise on part of public prosecution of its basic functions in promoting the Rule of Law and protecting fundamental rights and public interest must be accompanied by solid guarantees against any undue influence.

We recall that corruption of public powers is able to undermine the very idea of the Rule of Law, and the fight against it is essential in a modern political democracy.

To this end, we are fully aware of the need to design a system of accountability of public prosecutors with regard to the discharge of their duties. However, on the other hand, we must stress the importance that any mechanism devised in order to assess the work of public prosecutors should exclude any interference on part of other powers of the State, and especially on part the executive branch.

We therefore fully support the general principles expressed in the declaration approved by the UNJR on the necessity to clarify the Statute of public prosecution in Romania, ensuring the guarantees of institutional and personal independence as laid down by MEDEL's "Declaration of principles concerning public prosecution service" approved in Naples in 1993, by the UN Guidelines on the role of prosecutors of 1990, as well as by Recommendation (2000) 19 of the Council of Europe on the role of public prosecution in a criminal justice system.

We hope that the future discussion on the role of public prosecution in Romania may continue with a constructive confrontation among all parties involved and in full respect of the different institutional positions.

Bucharest, 29 September 2007

THE PRESIDENT
Miguel Carmona Ruano