

May, 2011

## **MEPs should apply the same standards the EU requires of Romanian MPs**

Dear Sir/Madam,

The European Parliament will soon vote on a request to lift Adrian Severin's immunity. Rejecting this request would not only deliver a severe blow to the cause of anti-corruption in Romania, it would also be hypocritical.

In April, Romania's National Anti-corruption Office (DNA) requested that Adrian Severin's parliamentary immunity be lifted. This is a precondition for the launch of criminal investigations into alleged acts of bribe taking and influence peddling by the MP. The European Commission has consistently praised DNA for its track record of non-partisan investigations into high-level corruption in Romania. Since 2005, DNA has issued indictments for over 1400 Romanian officials accused of corruption, resulting often in sentences and fines.

However, in the cases of greatest public interest and symbolic value, prosecutors are often obstructed in their work by Romanian Parliament. DNA has indicted over 30 members of Romanian Parliament and Government – including five ministers and twelve members of parliament. Almost none of these cases have reached a decision in first instance, let alone a final decision. The highest-profile corruption case, against a former prime minister, has remained effectively blocked for years.

All too often, the opening of investigations into current and former members of Romanian Parliament has been refused, denying justice and preventing the dissuasive effect of sanctions. The European Commission has also voiced concern about Parliament's attempts to weaken the anti-corruption framework, including by attempting to change the nomination and revocation procedure for senior prosecutors and to limit the procedures at the disposal of prosecutors. Because the Romanian Parliament is not always a good faith actor in the fight against corruption by its own members, external pressure by the EU is critical.

If the European Parliament does not approve DNA's request to lift Adrian Severin's immunity, it will send an extremely negative signal, one that undermines the work of the EU and Romanian civil society in pushing for justice reform in Romania. Impunity in the European Parliament would create a powerful excuse for Romania's Parliament to continue using immunity as a shield against prosecution for acts of corruption by the most privileged.

It would also be an exercise in hypocrisy. The European Commission has noted with concern that "Parliament needs to improve its handling of high-level corruption cases and allow the investigation of all appropriate cases by the judicial authorities." (February 2009) and has recommended that "Romania requires a long-term and unequivocal political commitment to ultimately succeed in its reform process." (July 2009).

We hope that the European Parliament will use the upcoming vote to reaffirm its commitment to the fight against corruption.

Respectfully,  
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Director  
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