

Press Release

Bucharest, the 12th January 2010

The lost chance of SCM

The Alliance for the Rule of Law, made up by the Active Watch - The Press Monitoring Agency, Pro Democracy Association, The Centre for Legal Resources and Transparency International Romania,

Is raising attention both to the Superior Council of the Magistracy (SCM) and to the citizens of this country over the way the election session for the new leadership of the SCM was held, as well as over the outcome of this vote, as follows:

- Even if the law does not expressly provide, the applications and the management projects should have been submitted before, so that the Members of the SCM be able to elect the leadership in an informed manner; otherwise, one can have the impression that the candidates are not serious and the voters are not interested in the vision of the judicial reform; we state that it is the way the things have been done every year
- Mrs Florica Bejinaru should refrain from filing her application to the SCM presidency; even if she has got a verdict of non cooperation with the Security as political police, as far as she admitted publicly that she had cooperated with it
- On the other side, art.7, paragraph (5) in the Law 317/2004, subsequently modified by the Law 247/2005, provides that *“the judges and prosecutors who were part of the intelligence services before 1990 or collaborated with them cannot be elected members of SCM”*, without hinting the political police; even if the text is after the elections of the current SCM members, the tightening of the conditions of integrity ought to stop Mrs Bejinariu to submit her candidacy and the members of SCM to vote her.

Unfortunately, the distinguished persons have proven us that the Law is more important than the Morality and that the texts of law matter more in their letter than in their spirit.

Contact persons- Georgiana Iorgulescu, Centre for Legal Resources, 0722.505.181
Iulia Coșpănar, Transparency International, 0788.688.564
Cristian Pârvulescu, Pro Democracy 0722.617.872
Mircea Toma, Active Watch, 0722.673.633