

Press Release

The Alliance for the Rule of Law calls for the emergency convening of the National Council of the Integrity

Bucharest, the 12th November

The Alliance for the Rule of Law, comprising of Active Watch - The Press Monitoring Agency, Pro Democratia Association, the Center for Legal Resources and Transparency International Romania, at which the Civic Alliance has joint on this topic,

Took note, through the media, about the content of the discussion's transcript of the President of the National Agency for the Integrity (ANI) and two well known journalists.

In this context, we are asking the following questions the members of the National Council for the Integrity, a structure that must supervise the ANI good functioning and which, explicitly, can ask for the revocation of the President of the Agency.

From the legal point of view:

- if the disclosure of some information from the files in progress inside the Agency complies with the art. 5, paragraph 8 from the Law 144/2007 and art. 18, paragraph 5, from the same Law;
- if the ANI's President has free access to the files in progress, as it emerged from the transcript's content and if that does not contravene to the art. 28, paragraph 3;
- if the ANI's President can lawfully dispose the investigation or the stop of the investigations regarding some accounts or the prioritizations of some cases, at the expense of the others, despite the provisions of the art. 28, paragraph 3?

From the moral point of view

- if the ANI's President can be part of an usury contract;
- if it is natural as ANI's President to participate to formal or informal meetings, having the purpose the operative ANI's activity, a term used, in fact, in the official press releases of this institution?

Nevertheless, the Alliance asks the authorities competent in the matter of national security and those who are controlling such structures, to answer the following questions:

- how is it possible the interception of a discussion in the ambient and respectively, the publication in the media of the transcript of this record, targeting the activity of a state institution?
- is it an authorized record? If yes, then must be a judge's warrant, either in the matters of the national security (and then there must be solid evidences that one of the parties threatens the safety of the state) or in criminal matters (and then should be provided in the issued warrant solid evidences on committing a crime, within an ongoing criminal procedural framework)
- if the interception was not made by a state institution, then who did it?

We hope that there still are public institutions that are doing their job. Otherwise, we don not have a state anymore. And this fact is really a question of the state safety.

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