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Experts: New law may hinder anti-corruption efforts in Romania

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New amendments to Romania's law on public administration are causing concern among some anti-corruption groups.

By Paul Ciocoiu for Southeast European Times in Bucharest -- 05/01/14

Members of civil society in Romania are cautioning against recently passed amendments to a public administration law that they say will make it harder to enforce the country's corruption laws.

The amendments allow mayors and county council heads to expand the group of subordinates to whom they can delegate official responsibilities, including signing contracts.

Elected officials in Romania are banned from involving their companies in contracts with the state and such conflicts of interests are regularly discovered by experts of the National Integrity Agency (ANI), the independent body that checks officials' assets.

Government watchdogs said they fear office-holders will attempt to circumvent corruption laws by agreeing to contracts with their own companies and having their subordinates sign the deals.

Furthermore, the law restricts prosecutors of the National Anti-Corruption Department (DNA) from investigating the subordinates of mayors and local officials. They can only be investigated by local authorities, not politically neutral DNA investigators.

Laura Stefan, an anti-corruption specialist at ExpertForum, said the new measures will limit the work of anti-corruption institutions.

"We are witnessing a transfer of responsibility from real decision makers to their straw men in the town halls," Stefan told *SETimes*. "The immediate effect is that, as concerns conflicts of interests, ANI can no longer check contracts signed by mayors with their companies because, at least formally, there is no conflict of interest there."

"Therefore, a large part of these files will consequently slip the competencies of these two institutions, let alone the abuse of office charge, a typical accusation brought against mayors and county council heads, which will no longer be committed since they do not sign documents anymore," she added.

The amendments came amid an anti-corruption offensive against the so-called "local barons," influential mayors and heads of county councils, who were charged with abuse of office, influence peddling and fiscal evasion. Since the beginning of the year, eight of 41 heads of county councils have been detained, arrested or placed under criminal investigation for acts of corruption.

Monica Macovei, member of the European Parliament and former justice minister of Romania, said there is "probably" a direct connection between the new measures and the anti-corruption offensive aimed at the local officials.



Romanian lawmakers passed a series of amendments to the public administration law that some say will make it more difficult to enforce corruption laws. [Gabriel Petrescu/SETimes]

"These barons are in power, they have political friends in the parliament and they change the laws when it comes to them," Macovei told *SETimes*. "But any person has to be accountable before the penal law for their deeds, especially leaders of public institutions which manage public funds."