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**FUMIGENA DNA SUBMINEAZA  
DEMOCRATIA ROMANIEI – Asa-zisa  
lupta anticoruptie din Romania este  
disecata in ziarul The Guardian. David  
Clark, autorul raportului „Henry  
Jackson Society”: „Am descoperit o  
serie de dovezi care sugereaza ca DNA  
abuzeaza de puterea pe care o are si  
recurge la metode vechi din perioada  
comunista pentru a-si servi propriile  
interese si a urmari razbunari politice...  
Aproape toate marile dosare de  
coruptie implica o forma sau alta de  
incalcare a procedurilor”**

Scris de A.P. | Data: 11.01.2017 17:20



Practicile abuzive folosite de parchetul condus de **Laura Codruta Kovesi**, in asa-zisa lupta dusa chipurile pentru combaterea coruptiei, sunt aspru criticate in editia online a celebrului ziar [The Guardian](#). Sub titlul „**Lupta impotriva coruptiei din Romania este o perdea de fum pentru a-i slabi democratia**” („Romania's corruption fight is a smokescreen to weaken its democracy”), Directia Nationala Anticoruptie, coniventa acestei structuri cu SRI si metodele utilizate de cele doua institutii de forta sunt desfiintate de **David Clark**, autorul Raportului „*Combaterea coruptiei cu trucuri: Asaltul Romaniei asupra statului de drept*”, intocmit recent pentru *Henry Jackson Society* si prezentat de Lumeajustitiei.ro (raportul integral [aici](#)).

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Clark sustine ca, in documentarea celebrului studiu pe care l-a intocmit pentru *Henry Jackson Society*, a dat peste dovezi care sugereaza ca „DNA abuzeaza de puterea pe care o are si recurge la metode vechi din perioada comunista pentru a-si servi propriile interese si a urmari razbunari politice”.

O alta institutie de forta intrata in vizorul britanicului este **Serviciul Roman de Informatii**, despre care Clark sustine ca este „succesorul temutei Securitati, politia secreta din perioada comunista”.

**Lumeajustitiei.ro va prezinta traducerea articolului publicat in editia online din 10 ianuarie 2017 a ziarului [The Guardian](#):**

*„Lupta impotriva coruptiei din Romania este o perdea de fum pentru a-i slabi democratia*

*Inchizand ochii in fata acestui abuz de putere se incurajeaza alte natiuni europene sa-i urmeze exemplul.*

*Recenta evolutie a [dreptei populiste](#) din Ungaria si Polonia a generat un semnal de alarma cu privire la viitorul democratiei din Europa, in conditiile in care garantiile constitutionale, pluralismul presei si societatea civila sunt supuse unui atac sustinut.*

***O alta amenintare sta insa ascunsa in vazul tuturor: abuzul luptei anticoruptie din [Romania](#), o tara adesea laudata ca fiind un exemplu de succes in implementarea de reforme in centrul si estul Europei.***

Tara a fost [laudata de liderii UE](#) pentru modul cum combate coruptia, iar structura sa nationala anticoruptie a fost prezentata ca [un model de urmat pentru altii](#). **Sapand insa dincolo de ceea ce este la suprafata, nu e totul asa cum apare.**

**Cu prilejul intocmirii unui raport recent pentru thinktank-ul [Henry Jackson Society](#), am descoperit o serie de dovezi care sugereaza ca [Directia Nationala Anticoruptie \(DNA\)](#) [abuzeaza de puterea pe care o are](#) si [recurge la metode vechi din perioada comunista](#) pentru a-si servi propriile interese si a urmari razbunari politice.**

In mod semnificativ, criticile vin inclusiv din partea unor fosti sustinatori, precum Traian Basescu, presedinte al Romaniei intre 2004 si 2014, care a initiat primul mare val de lupta anticoruptie din tara, dar care acum [a acuzat DNA](#) ca incalca drepturile omului si actioneaza in afara Constitutiei.

Rata condamnarii in cauzele de coruptie este surprinzator de mare, 92%, iar o privire mai atenta la metodele folosite de DNA arata si de ce se intampla asta. **Aproape toate marile dosare de coruptie implica o forma sau alta de incalcare a procedurilor.**

**Exista exemple de solutii de condamnare fundamentate pe probe necoroborate obtinute de la martori care au dat declaratii in schimbul imunitatii. Suspectilor li se spune uneori ca daca nu coopereaza atunci membri ai familiilor lor ar putea fi pusi sub acuzare.**

**Arestarea preventiva este folosita ca un alt mijloc de strangere (in ciuda naturii nonviolente a infractiunilor in discutie), iar stenograme editate ale interceptarilor telefonice [sunt in mod curent scurse in presa](#) cu scopul de a-i discredita pe acuzati inaintea procesului.**

**De asemenea, am vazut cazuri in care [judecatori care au dat solutii impotriva DNA](#) au fost ulterior pusi sub acuzare, dar si cazuri in care oameni de rang inalt din stat si-au acuzat la televizor criticii de coruptie.**

In mai 2014, premierul social-democrat de la acea vreme, Victor Ponta, a sugerat ca Dan Adamescu, patronul unui ziar critic la adresa sa, Romania Libera, ar urma in scurt timp sa fie arestat pentru fapte de coruptie. Cateva zile mai tarziu, Adamescu a fost incarcerat, iar ulterior a fost condamnat pentru dare de mita in urma unui proces plin de incalcare ale procedurilor.

Cazul este in pericol de a transforma instantele britanice intr-o extensie a sistemului juridic disfunctional (romanesesc), dupa ce autoritatile romane au emis un mandat european de arestare anul trecut, pentru a asigura extradarea [fiului lui Dan Adamescu, Alexandru](#). Singura dovada impotriva lui Alexandru Adamescu pare a fi ca a continuat sa faca campanie pentru tatal sau.

**Una dintre cele mai ingrijoratoare acuzatii in Romania, insa, preocupa stransa legatura dintre DNA si Serviciul Roman de Informatii (SRI), succesorul temutei Securitati, politia secreta din perioada comunista.**

DNA se bazeaza pe SRI pentru a intercepta anual [circa 20.000 de apeluri telefonice](#) si a recunoscut, de asemenea, ca serviciul de informatii joaca un rol in initierea anchetelor.

In 2015, un general SRI a starnit indignare cand a descris instantele ca fiind un '[camp tactic](#)' pentru operatiuni specifice si a facut aluzie la rolul pe care SRI il are in influentarea hotararilor din dosarele aflate in faza de judecata. Judecatori si avocati au reactionat cerand o ancheta privind vechile suspiciuni potrivit carora SRI a continuat vechea practica a Securitatii de a infiltra agenti acoperiti in sistemul judiciar, insa autoritatile au refuzat sa o faca.

**Cazul Alinei Bica, sefa agentiei responsabile cu combaterea crimei organizate si a terorismului, ilustreaza puterea legaturii DNA-SRI.**

*Bica a fost retinuta in 2014 de DNA pentru acuzatii de coruptie, iar experienta sa a urmat un model deja familiar. A stat luni de zile in arest preventiv, sotul sau a fost arestat si au fost facute eforturi pentru a-i distruge reputatia prin scurgeri in presa.*

*Bica a sustinut ca a fost incarcerata dupa ce a refuzat sa aresteze persoane la sugestia SRI. In momentul in care aceasta a invocat ca nu exista dovezi, i s-a spus: ['Nu vei sfarsi bine'](#).*

***Niciunul dintre aceste detalii nu sunt reflectate in [rapoartele Comisiei Europene de monitorizare a Romaniei](#), rapoarte care prezinta lupta anticoruptie din Romania intr-o perspectiva optimista.***

***Inchizand ochii, insa, Uniunea Europeana risca sa incurajeze alte tari din regiune sa urmeze exemplul Romaniei, care sa foloseasca 'lupta impotriva coruptiei' ca o perdea de fum pentru a slabi standardele democratice.***

***Este un mediu care ofera terenul propice pentru dezvoltarea tipului de autoritarism infiorator pe care il vedem in [Ungaria](#) si [Polonia](#)'.***

Romania Guardian world networks

# Romania's corruption fight is a smokescreen to weaken its democracy

Turning a blind eye to this abuse of power risks encouraging other European nations to follow its example

David Clark

Tuesday 10 January 2017 08:00 GMT



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A voting booth for Romania's recent parliamentary elections. Campaigners warn that unchecked corruption is a threat to democracy on the continent. Photograph: Yasin Ghaida/AP

The recent rise of the populist right in Hungary and Poland has raised the alarm about the future of democracy in Europe, as constitutional safeguards, media pluralism and civil society come under sustained attack.

But there is another threat hiding in plain sight: the abuse of anti-corruption laws in Romania, a country often lauded as an example of successful reform in central and eastern Europe.

The country has been praised by EU leaders for its crackdown on graft, and its national anti-corruption body has been held up as a model for others to follow. But scratch beneath the surface and all is not as it appears.

In compiling a recent report for the Henry Jackson Society thinktank we found a body of evidence to suggest that the Anti-Corruption Directorate (DNA) is abusing its power and reverting to communist-era methods to serve its own interests and pursue political vendettas.

Significantly, the critics include a number of former supporters, including Traian Basescu, Romania's president from 2004 to 2014, who initiated the country's first major anti-corruption drive but has now accused the agency of violating human rights and acting outside the constitution.

Conviction rates in Romanian corruption cases are astonishingly high at 92%, and a close look at the methods used by the DNA reveals why. Almost all of the most high-profile cases involve one kind of procedural violation or another.

There are examples of guilty verdicts secured with the uncorroborated evidence of witnesses who testify in exchange for immunity. Suspects are sometimes told that if they do not cooperate then family members could also face prosecution.

Pre-trial detention is used as another form of leverage (despite the non-violent nature of the crimes in question) and edited transcripts of telephone intercepts are routinely leaked to the media to discredit defendants in advance of their trials.

We have also seen cases where judges who have ruled against the DNA subsequently found themselves under investigation, and cases where people in the highest echelons of government have accused their critics of corruption on national television.

In May 2014, the then socialist prime minister, Victor Ponta, suggested that Dan Adamescu, the owner of a critical newspaper, Romania Liberă, would shortly be arrested for corruption. Adamescu was detained a few days later and subsequently convicted of bribery after a legal process riddled with violations.

The case is in danger of turning the British courts into an extension of the dysfunctional legal system, after the Romanian authorities issued a European arrest warrant last year to secure the extradition of Adamescu's son Alexander. The only evidence against the younger Adamescu appears to be that he has continued to campaign for his father.

Some of the most troubling allegations in Romania, however, concern the close relationship between the DNA and the Romanian intelligence service (SRI), the successor to the feared communist-era Securitate secret police.

The DNA relies on the SRI to intercept about 20,000 telephone calls each year and has acknowledged that the intelligence agency also plays a role in initiating investigations.

In 2015, one SRI general sparked outrage by describing the courts as a "tactical field" of operations and alluding to his agency's role in influencing the outcome of cases. Judges and lawyers responded by demanding an inquiry into longstanding suspicions that the SRI has continued the old Securitate practice of placing undercover agents in the judiciary, but the government refused.

The case of Alina Bica, head of the agency responsible for countering organised crime and terrorism, illustrates the power of the DNA-SRI nexus.

Bica was arrested by the DNA on corruption charges in 2014 and her experience followed a familiar pattern. She spent months in pre-trial detention, her husband was arrested and efforts were made to destroy her reputation with media leaks.

Bica claimed she was detained after refusing to arrest individuals whose names were suggested by the SRI. When she cited lack of evidence, she was told: "You will not end well."

None of these details are reflected in the European commission's monitoring reports on Romania, which paint the country's fight against corruption in an optimistic light.

But by turning a blind eye, the European Union risks encouraging other countries in the region to follow Romania's example, using the "fight against corruption" as a smokescreen to weaken democratic standards.

It is an environment that provides the perfect breeding ground for the type of creeping authoritarianism we are seeing in Hungary and Poland.

David Clark was a special adviser at the Foreign Office from 1997 to 2001 and now works as a freelance foreign policy commentator and consultant

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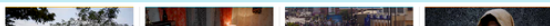
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