

**You've been the U.S. Department of Justice regional Resident Legal Advisor of Bulgaria and Romania for over a year now, providing justice sector assistance to build capacity in combating public corruption. What exactly has your assistance provided to Romania consisted of?**

We've provided assistance in several ways, but mainly through capacity-building—by providing training to prosecutors, investigators, and judges on various topics, including financial data analysis, money laundering and offshore assets investigations, special investigative techniques in organized crime cases, and complex case management, sharing the experiences and best practices we've garnered over dozens of years in this field. We listen to what our partners need and try to structure trainings accordingly. These trainings often feature U.S.-based experts, including American judges, prosecutors, and investigators. In the past year, we've provided over ten training programs throughout Romania, specifically tailored to our partners' needs.

We've also provided case-based mentoring at our partners' request. We've offered advice on procedural and legislative reforms, for example, by promoting reforms aimed at ensuring judicial independence. In addition, with the permission of the Romanian Government, we've hosted quarterly roundtables with Romanian civil society organizations to raise awareness for the important work that they do and continue to raise the quality of public debate in Romania. We've also partnered with law schools and youth programs to empower and mentor the next generation of Romania's rising leaders to promote rule of law principles.

**What are your conclusions following the latest meetings you had in Bucharest with the top officials in the judicial sector?**

Romania has made significant progress in combating corruption, but there is more work to be done. Despite Romania's solid track record in fighting corruption in the past decade, the challenges faced by the judiciary from 2017–2019 were harmful. For example, controversial measures, like the creation of the Section for the Investigation of Offenses in the Judiciary (SIJ), have negatively impacted judicial independence. Constant attacks against institutions like the National Anti-Corruption Directorate (DNA), despite its successes, have impacted credibility and morale. New conditions for entry into the profession, especially for the specialized prosecution services, have stalled the fight against corruption.

From my recent visit, however, I witnessed strong political will for prioritizing rule of law in Romania and restoring the path of judicial reform after the reverses of 2017–2019. This can pave the way for efficient continuation of key

activities in Romania's continued fight against corruption, including prosecutorial activity, quality legislative and procedural reforms, and support for the important role of civil society in defending the rule of law in Romania. As one of our strongest allies, the United States will continue to support Romania in its anti-corruption efforts. And remember, corruption affects everyone; as people see the penalties for conducting corrupt acts, fewer people will take part in corruption and society benefits.

### **What are is Romania lacking politically, legally, logistically and technology-wise for a more efficient action against corruption?**

I wouldn't say Romania is lacking things, but rather still coming to grips with the realities after the revolution. As I mentioned earlier, in the last few years, various international reports, including the European Commission's annual Rule of Law Report, Venice Commission Opinions, and the Council of Europe's GRECO reports, have identified several challenges that Romania is facing in its fight against corruption. I emphasize this because addressing just one challenge will not guarantee a cleaner Romania. For reforms to be effective, in any country, they must be comprehensive. A major, practical challenge facing Romania is the deficit of human resources in its justice system. There are high percentages of vacant positions within the judiciary, which—coupled with delayed recruitment procedures, extensions of training requirements, and early retirement schemes—will impact the efficiency and productivity of Romania's continued fight against corruption.

### **What help is USA able and willing to offer Romania in the fight against corruption?**

Romania is one of the United States's top allies. We enjoy a strong partnership in many areas, including our shared values on the principles of democracy, individual liberty, and the rule of law. These shared values make our countries stronger and more resilient to those who seek to threaten or divide us. The United States is committed to working with our allies, like Romania, to uphold our democratic commitments, including on rule of law and corruption.

### **Is there a connection between the level of American investments in Romania and the corruption level?**

Corruption, as in many other countries, affects foreign direct investment. International reports have revealed that companies and investors believe corruption is widespread in Romania, especially when doing business. Persistent and arbitrary laws, particularly those pertaining to business

practices, hinder any country's economic success. Foreign investors want the security and confidence that they will be treated fairly and predictably under the law. This is why strong rule of law in a country is so important—the principle that all people and institutions are subject to and accountable to laws that are fairly applied and enforced. Strong rule of law is critical for economic growth and success, especially foreign investment. Weak rule of law creates a breeding ground for corruption and, in turn, affects economic development.

### **Which are the main corruption mechanisms you've encountered in Romania?**

Rather than talk about specific instances and mechanisms, I think it's important to remember that corruption at any level and in any form is unacceptable and as I mentioned previously, we are in regular consultation with our Romanian partners as to where we can provide appropriate assistance to help Romania combat corruption.

### **How can asset forfeiture from corruption and money laundering be improved?**

Asset forfeiture is a powerful tool in combating corruption, when applied transparently and fairly. Depriving criminals and criminal organizations of their ill-gotten gains can often be the most severe punishment. It also deters illegal activity, disrupts criminal organizations, removes the tools of the trade from criminals, returns assets to victims, and protects communities. Spreading this critical knowledge amongst prosecutors and investigators is the most effective way to increase asset forfeiture in corruption and money laundering cases. The National Agency for the Management of Seized Assets (ANABI) is fully operational and possesses specialized knowledge in this area. Increasing and, perhaps, mandating consultation with ANABI on cases involving a threshold amount of loss at the onset of an investigation would potentially improve asset forfeiture, thereby building cases with lasting results and again showing would-be criminals that they will not profit from their illegal actions.

### **How does the phenomenon of corruption affect the independence of the press?**

Corruption affects media independence, much like it infiltrates every aspect of a functioning society. Corruption can result in a lack of transparency of media ownership and financing, leading to potential for misuse, including state interference. It can impact the constitutional right of access to public information. Corruption, unfortunately, can also result in serious physical and online attacks against journalists due to their professional activities, which is

unacceptable. I believe it is helpful that the European Commission's annual Rule of Law Report now includes a media freedom aspect, which highlights this issue to raise awareness and, hopefully, opportunity for improvement. A free, independent, and flourishing free press is essential to democracy.

### **Is there an external component related to the Romanian corruption?**

Corruption anywhere often has an external component. Corruption in Romania, as in many other countries, often seems to involve offshore assets hidden in tax havens like Cyprus or the British Virgin Islands. Investigation and recovery of offshore assets require building technical capacity as well as strong international law enforcement cooperation. Over the past year, we worked with our Romanian counterparts to increase capacity in conducting money laundering and offshore assets investigations.

### **Anti-corruption is seen more as a judicial reaction against crimes. But how important is the prevention of corruption and how should it be done?**

Prevention efforts are equally important in combatting corruption and, in the long run, the most sustainable approach. Forbidding conflicts of interest, incompatibilities, and investigating unjustified wealth are critical to the prevention of corruption. Awareness campaigns and prevention tools on administrative conflicts of interest, particularly related to public procurement, have been well-developed by the National Integrity Agency (ANI), despite suffering from decreasing resources. A robust, coherent, and consolidated legal framework for integrity is necessary to prioritize sustainable prevention efforts, one that is designed jointly by ANI, the Ministry of Justice, and other relevant stakeholders. The new National Anti-Corruption Strategy is also expected to demonstrate a renewed governmental commitment to increase progress on the preventive side. Transparency is also key in preventing corruption. Finally, the importance of empowering the next generation of Romania's rising leaders to promote rule of law principles cannot be understated, so that it becomes inherent in their thinking and then becomes systematic throughout the government and business sectors.