

**National
Anticorruption
Directorate**
DNA

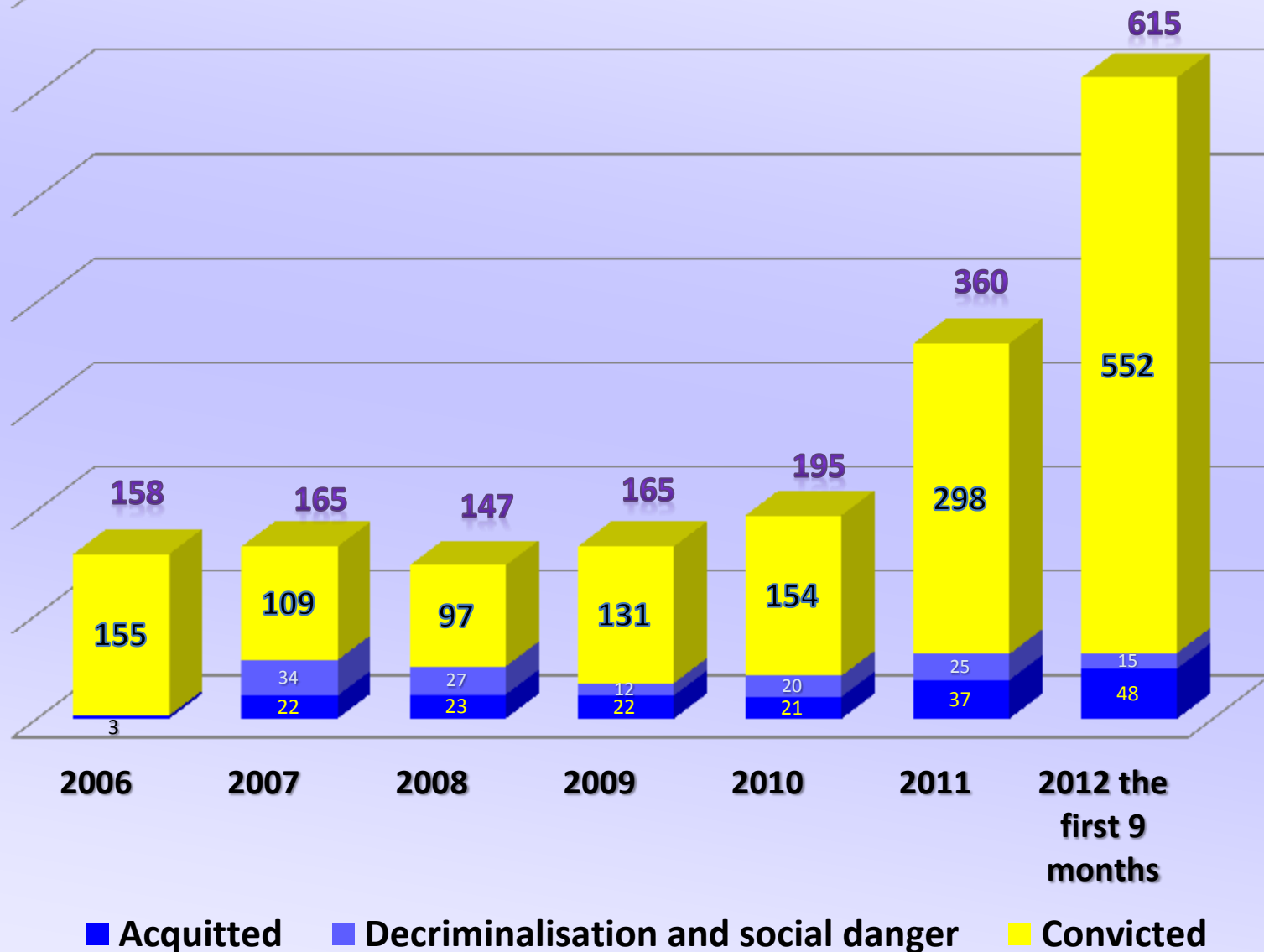
**PROSECUTOR'S
OFFICE ATTACHED
TO THE HIGH COURT
OF CASSATION AND
JUSTICE**





**THE RESULTS OF THE NATIONAL
ANTICORRUPTION DIRECTORATE
2005 - 2012**

1496 defendants convicted by **678** final conviction decisions
9,75 % rate of acquittal



About half of the final convicted people held important positions

11

- **Dignitaries** (1 Prime Minister, 1 Minister, 2 Senators, 6 Deputies, 1 State Secretary,)

164

- **Police officers**

26

- **Mayors, Vice-Mayors, Under-prefects**

50

- **Directors of national companies and public institutions**

6

- **Members of Local and County Councils**

60

- **Authorities with Control Duties** (GF, ANAF, AVAS, ITM, AFP, ARR, Court of Accounts etc.)

24

- **Magistrates** (12 judges, 11 prosecutors, 1 magistrate assistance)

32

- **Lawyers**

Leaders of Public Institutions



State Domains Agency

Health Insurance House

Office of Cadastre

Territorial Labor Inspectorate

House of Pensions

Agricultural Direction of Rural development

Child Protection

Sanitary Veterinary Direction/Inspectorate

National Institute of Hydrology

Leaders of companies/national companies/autonomous administrations



National Companies

National Romanian Railway Company

REMIN National Company

National Company of Lignite

Autonomous Administrations

Autonomous Administrations of Roads and Bridges

Joint Stock Companies

Termoelectrica

Energoconstrucția

EXAMPLES OF ACTIVITY AREAS

Public procurements

- **15 convicted people**
- **1** Mayors **5** directors, **6** senior staff members of the Ministry of National Defense, **1** member of a privatization commission, **1** chief of service, **1** company administrator

Privatizations/ under- evaluations

- **11 convicted people**
- **8** directors, **1** legal councilor, **1** evaluator of ANVAR, **1** member in the Board of Directors

Restitutions/ retrocessions

- **4 convicted people**
- **1** president of the State Domain Agency, **1** under-prefect, **1** Mayor, **1** member of the land fund local commission

Education

- **7 convicted people**
- **6** academic staff members, **1** student

EXAMPLES OF NON FINAL CONVICTION DECISIONS

SENATOR

•imprisonment

DEPUTY

•Imprisonment with suspension of the execution of the punishment under surveillance

FORMER DEPUTY

•Imprisonment with suspension of the execution of the punishment

FORMER DEPUTY

•Imprisonment with suspension of the execution of the punishment under surveillance

FORMER MINISTERS (2)

•imprisonment

**FORMER UNDER-SECRETARY OF
STATE**

•imprisonment

**FORMER PRESIDENT OF A
COUNTY COUNCIL**

•imprisonment

**FORMER PRESIDENT OF A
COUNTY COUNCIL**

•Imprisonment with suspension of the execution of the punishment under surveillance

FORMER PREFECT

•imprisonment

TIPOLOGY OF THE OFFENCES FOR WHICH COURT DECISIONS HAVE BEEN RULED SO FAR

MINISTERS AND STATE SECRETARIES

- ▶ Misappropriation of funds or changing the destination of some funds of the ministry .
- ▶ Employing various people in public positions.

PARLIAMENT MEMBERS

- ▶ Interventions to various public institutions (ministries, justice, police etc.) in order to illegally solve various problems.
- ▶ Illegal financing of the political parties.

MAYORS, VICE-MAYORS, PRESIDENTS AND VICE-PRESIDENTS OF COUNTY COUNCILS, PREFECTS AND UNDER-PREFECTS

- ▶ Defrauding public tenders favoring of certain people.
- ▶ Underrating goods in different commercial operations (sale, orders of compulsory execution etc.)
- ▶ Defrauding European funds.
- ▶ Illegal restitution of real estate.

MAGISTRATES AND POLICE OFFICERS

- ▶ Issuing favorable decisions for the persons who pay bribe or interceding for the same purpose with their colleagues in criminal or civil trials.

CUSTOMS AND BORDER POLICE OFFICERS

- ▶ Favoring other persons in smuggling different products (cigarettes, alcohol etc.)

FINANCIAL GUARD OFFICERS AND FISCAL INSPECTORS

- ▶ **Rigging the results of the control operations on combatting fiscal evasion, in the sense of favoring the companies by not sanctioning them or by diminishing the quantum of the pecuniary sanctions.**

DIRECTORS OF NATIONAL COMPANIES AND PUBLIC INSTITUTIONS

- ▶ **Defrauding public tenders.**
- ▶ **Conducting illegal or preferential payments to different commercial companies.**
- ▶ **Carrying out financial activities incompatible with their function.**
- ▶ **Using confidential information obtained by virtue of their function for their personal benefit.**

DNA indicted **406**
persons in **194** criminal
cases.

The total damage
established in these
fraud cases is over
36,000,000.-- €.

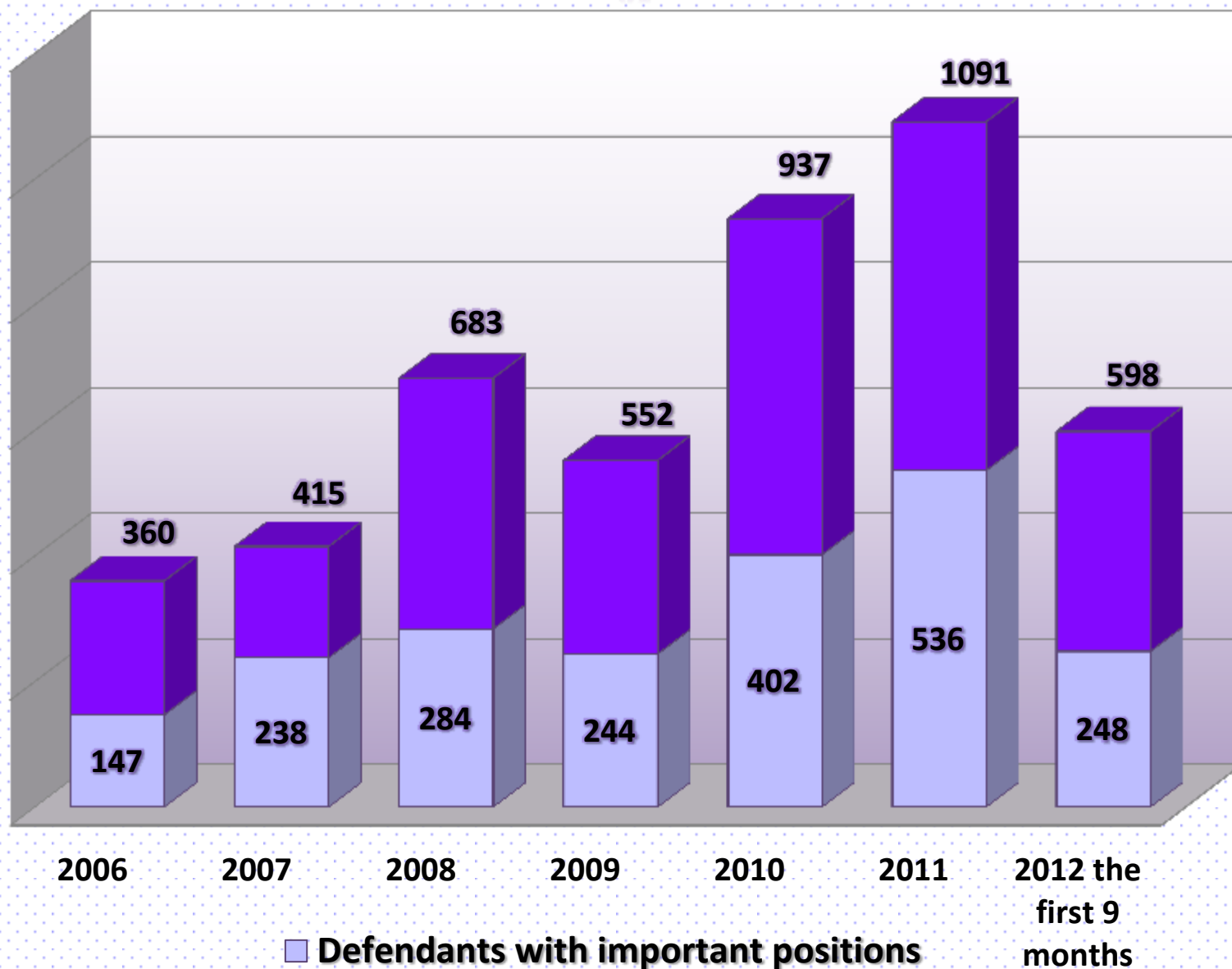
**Frauds against
EU funds
2006 - 2012**

The courts ruled **82**
final decisions against
127 persons.

The courts ruled
acquittal decisions in
only **5** cases related to
8 persons

INDICTMENTS 01.01.2006 – 01.10.2012

1229 indictments, **4738** defendants of which **2101** defendants with important positions and **48** legal entities



PERSONS WITH IMPORTANT POSITIONS SENT TO TRIAL

23

- **Parliament Members**
(17 Deputies, 6 Senators)

15

- **Ministers and State Secretaries**
(1 Prime Minister, 9 ministers, 5 State Secretaries)

8

- **Prefects and Under-Prefects**

9

- **Directors of national agencies with the rank of State Secretaries/Under-State Secretaries**

8

- **Presidents and Vice Presidents of County Councils**

105

- **Mayors and Vice-Mayors**

53

- **Magistrates (23 judges, 30 prosecutors)**

69

- **Lawyers**

496

- Police officers

104

- Gendarmes

134

- Customs officers

42

- Financial Guard officers

44

- Fiscal inspectors

25

- Directors of public institutions

40

- Directors of national companies and autonomous administrations

16

- Public notaries (13) and judicial executors (3)

➤ THE DISSUASIVE NATURE OF THE PUNISHMENTS with imprisonment

2007-2009 – over **25%**

2010-2012 – over **33%**

➤ PARLIAMENT MEMBERS AND MINISTERS

final conviction decisions

2002 – 2009 – no dignitary convicted

2010 – 2012 – **11** dignitaries convicted

dissuasive nature of the punishments

2010 - **1** Senator with imprisonment

2011 - **3** Deputies with suspension of the execution of the punishment

2012 - **5** Dignitaries with imprisonment (**1** Prime Minister, **1** minister, **2** Parliament Members, **1** State Secretary)

2 Parliament Members with suspension of the execution of the punishment

➤ PUNISHMENTS IN THE CASE OF THE MAGISTRATES

24 magistrates convicted - **10** with imprisonment

- **10** held leading positions

(**1** Vice-president of Tribunal, **1** Vice-president of a First Instance Court, **2** chiefs of section of a First Instance Court/Tribunal, **5** chief prosecutors of the prosecuting units attached to the First Instance Courts, **1** chief prosecutor of section of the prosecuting units attached to the Tribunal)

➤ EFFICIENCY OF THE ACTIVITY – a guilt verdict for about **90%** of the persons who faced trial

Thank you!
