

**Question for written answer E-006758/2020  
to the Commission**  
Rule 138  
**Traian Băsescu (PPE)**

**Subject:** Moves to disband the Section for the Investigation of Offences in the Judiciary in Romania

The Section for the Investigation of Offences in the Judiciary (SIJ), which belongs to Prosecution Service of the Romanian High Court of Cassation and Justice, was, from 23 October 2017, tasked exclusively with the investigation of offences committed by judges and prosecutors. However, the 2020 Rule of Law Report regarding the situation in Romania (SWD (2020) 0322) expresses concern that its activities are in danger of undermining the independence of the judiciary and the Venice Commission is accordingly seeking to have it dismantled.

The truth is that the existence of this section prevents anti-corruption prosecutors from using case files against judges to pressurise them into delivering the desired ruling in other cases they are working on. During a hearing of the US Helsinki Commission in 2017<sup>1</sup>, it emerged that judges failing to endorse National Anti-Corruption Directorate (DNA) recommendations had themselves become targets, while those regarded as favourably inclined to the DNA in seeking convictions were rewarded for their loyalty, thereby explaining how the DNA had been achieving its extraordinary 92% conviction rate. In view of this:

1. Can the Commission say why it is seeking to have the SIJ disbanded?
2. What alternatives would it propose to ensure the independence of judges by shielding them against pressure from the prosecution services?

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<sup>1</sup> <https://www.hsdl.org/?view&did=806689> at p.22