



Group of States against Corruption
Groupe d'États contre la corruption



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FOURTH EVALUATION ROUND

Corruption prevention in respect of
members of parliament, judges and prosecutors

SECOND COMPLIANCE REPORT

Including

FOLLOW-UP TO THE AD HOC (RULE 34) REPORT

ROMANIA

Adopted by GRECO at its 97th Plenary Meeting
(Strasbourg, 17-21 June 2024)

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I. **INTRODUCTION**

1. This Second Compliance Report including Follow-up to the Ad hoc (Rule 34) Report on Romania assesses the measures taken by the Romanian authorities to implement the recommendations issued in the Fourth Round Evaluation Report on the country (see paragraph 2) dealing with "Corruption prevention in respect of members of parliament, judges and prosecutors" and the Rule 34 Ad hoc Report assessing issues closely related to the scope of the Fourth Round Evaluation Report (see paragraph 5).
2. The [Fourth Round Evaluation Report](#) on Romania was adopted at GRECO's 70th Plenary Meeting (4 December 2015) and made public on 22 January 2016, following authorisation by Romania.
3. The [Compliance Report](#) on Romania was adopted by GRECO at its 78th meeting (8 December 2017) and made public on 18 January 2018, following authorisation by Romania. The report concluded that only two of the 13 recommendations contained in the Fourth Round Evaluation Report had been implemented satisfactorily or dealt with in a satisfactory manner and four had been partly implemented. This very low level of compliance was considered "globally unsatisfactory" in the meaning of Rule 31, paragraph 8.3 of GRECO's Rules of Procedure. GRECO therefore decided to apply Rule 32, paragraph 2(i) and requested further information from the Romanian delegation.
4. The [Interim Compliance Report](#) was adopted by GRECO at its 83rd meeting (21 June 2019) and made public on 9 July 2019, following authorisation by Romania. The level of compliance remained "globally unsatisfactory" and the Romanian authorities were requested to submit further information.
5. GRECO decided at its 78th Plenary Meeting (4-8 December 2017) to apply the Rule 34 Ad hoc procedure¹ in respect of Romania as a result of the 2017 reforms in Romania that critically affected the criminal justice system (including the status of judges and prosecutors). GRECO adopted the [Rule 34 Ad hoc Report](#) at its 79th Plenary Meeting (19-23 March 2018) assessing issues closely related to the scope of the Fourth Round Evaluation Report. The [Follow-up Report to the Ad hoc Report](#) was adopted by GRECO at its 83rd Plenary Meeting (17-21 June 2019) and made public on 9 July 2019, following Romania's authorisation. GRECO decided to terminate the ad hoc procedure and to continue evaluating Romania's compliance with the pending recommendations from the Rule 34 Ad hoc Reports under the on-going Fourth Round Compliance Procedure.
6. The [Second Interim Compliance Report including Follow-up to the Ad hoc \(Rule 34\) Report](#) was adopted by GRECO at its 87th Plenary Meeting (25 March 2021) and made public on 5 May 2021. The level of compliance remained "globally unsatisfactory" and the Romanian authorities were requested to submit further information.
7. In the [Third Interim Compliance Report including Follow-up to the Ad hoc \(Rule 34\) report](#), adopted by GRECO at its 92nd Plenary Meeting (2 December 2022) and made public on 25 January 2023, GRECO concluded that seven out of the 13 recommendations in the Fourth Round Evaluation Report and three out of the five recommendations of the Follow-up Report to the Ad hoc Report (Rule 34) had been implemented satisfactorily or dealt with in a satisfactory manner by Romania. GRECO concluded that the level of compliance with the recommendations was no longer

¹ Rule 34 of GRECO's Rules of Procedure provides for an ad hoc procedure that can be triggered in exceptional circumstances, such as when GRECO receives reliable information concerning institutional reforms, legislative initiatives or procedural changes that may result in serious violations of the Council of Europe's anti-corruption standards.

“globally unsatisfactory” and asked the Head of the Romanian delegation to provide a report on measures taken to implement the outstanding recommendations. That report, submitted on 29 December 2023, forms the basis of this report.

8. GRECO selected Denmark (in respect of parliamentary assemblies) and Türkiye (in respect of judicial institutions) to appoint Rapporteurs for the compliance procedure. The Rapporteurs appointed were Mr Jonathan GASSEHOLM on behalf of Denmark and Mr Furkan USTAOĞLU on behalf of Türkiye. They were assisted by GRECO’s Secretariat in drawing up the current Report.

II. ANALYSIS

9. GRECO addressed 13 recommendations to Romania in its Evaluation Report and five recommendations in the Ad hoc (Rule 34) Report. In the Third Interim Compliance Report including Follow-up to the Ad hoc (Rule 34) Report, GRECO concluded that recommendations ii, v, vii, viii, x, xi and xii, as well as Rule 34 recommendations i, ii and iv, had been implemented satisfactorily or dealt with in a satisfactory manner. Compliance with the remaining recommendations is dealt with below.

Corruption prevention in respect of members of parliament

Recommendation i

10. *GRECO recommended that the transparency of the legislative process be improved (i) by further developing the rules on public debates, consultations and hearings, including criteria for a limited number of circumstances where in camera meetings can be held, and ensuring their implementation in practice; (ii) by assessing the practice followed and accordingly revising the rules to ensure that draft legislation, amendments to such drafts and the agendas and outcome of committee sittings are disclosed in a timely manner, and that adequate timeframes are in place for submitting amendments and (iii) by taking appropriate measures so that the urgent procedure is applied as an exception in a limited number of circumstances.*
11. GRECO recalls that, in its Third *Interim Compliance Report including Follow-up to the Ad hoc (Rule 34) Report*, this recommendation was partly implemented. For part (i) of the recommendation, changes had been introduced to the Regulation of the Senate as a result of the COVID-19 pandemic, which partly addressed the issue of a lack of adequate rules in place to allow for public debates, consultations or hearings, but only as far as the Senate was concerned. Clear rules/criteria were still missing for a limited number of circumstances in which meetings may be held *in camera* in respect of both Chambers. For part (ii) of the recommendation, the digitalisation of the legislative process marked a notable step forward but did not even partly implement this part of the recommendation. For part (iii) of the recommendation, no developments were noted.
12. The authorities have not provided any new information for this recommendation, aside from the information already transmitted for the previous compliance report.
13. In the absence of any new development reported, GRECO concludes that recommendation i remains partly implemented.

Recommendation iii

14. *GRECO recommended that measures be taken (i) to clarify the implications for members of parliament of the current provisions on conflicts of interest independently of whether such a conflict might also be revealed by declarations of assets and interests and (ii) to extend the definition beyond the personal financial interests and*

(iii) to introduce a requirement of ad hoc disclosure when a conflict between specific private interests of individual MPs may emerge in relation to a matter under consideration in parliamentary proceedings – in the plenary or its committees – or in other work related to their mandate.

15. GRECO recalls that this recommendation remained not implemented in the previous compliance report. It was noted that aspects could possibly be dealt with by the National Anticorruption Strategy for 2021-2025 under specific objective no. 5.2 (i.e. ensuring integrity in the exercise of public functions), however no concrete action had been taken yet.
16. The authorities have not provided any new information for this recommendation.
17. In the absence of any new development reported, GRECO concludes that recommendation iii remains not implemented.

Recommendation iv

18. *GRECO recommended establishing a robust set of restrictions concerning gifts, hospitality, favours and other benefits for parliamentarians, and ensuring that the future system is properly understood and enforceable.*
19. GRECO recalls that this recommendation remained not implemented in the previous compliance report, as no new information was provided.
20. The authorities have not provided any updated information in this respect.
21. In the absence of any new development reported, GRECO concludes that recommendation iv remains not implemented.

Recommendation vi

22. *GRECO recommended the introduction of rules on how members of Parliament engage with lobbyists and other third parties who seek to influence the legislative process.*
23. GRECO recalls that this recommendation remained not implemented in the previous compliance report. It was noted that some aspects could possibly be dealt with by the National Anticorruption Strategy for 2021-2025 under specific objective no. 3.2 (i.e. by extending the Single Register of Transparency of Interests (RUTI) to include MPs), however no concrete action had been taken yet.
24. The authorities have not provided any new information.
25. In the absence of any new development reported, GRECO concludes that recommendation vi remains not implemented.

Recommendation ix

26. *GRECO recommended that the parliamentary authorities establish for their members (i) a system of counselling through which parliamentarians can seek advice on integrity matters and (ii) provide dedicated and regular training on the implications of the existing and yet-to-be adopted rules for the preservation of the integrity of parliamentarians, including the future Code of Conduct.*
27. GRECO recalls that this recommendation remained not implemented in the previous Compliance Report, as no new information was provided.

28. The authorities have not provided any new information.
29. In the absence of any new development reported, GRECO concludes that recommendation ix remains not implemented.

Corruption prevention in respect of prosecutors specifically

Recommendation xiii

30. *GRECO recommended that the procedure for the appointment and revocation for the most senior prosecutorial functions other than the Prosecutor General, under Article 54 of Law 303/2004, include a process that is both transparent and based on objective criteria, and that the Supreme Council of Magistracy is given a stronger role in this procedure.*
31. GRECO recalls that this recommendation was partly implemented in the previous compliance report. GRECO noted that the appointment procedure had been made more transparent and that criteria for the appointment and revocation of prosecutors with the most senior positions had been established. However, it remained to be seen whether the Supreme Council of Magistracy (hereinafter: SCM) had been provided with a stronger role in practice. It seemed to have been given a mere advisory role of a non-binding character for the final proposal by the Minister of Justice in the procedure.
32. The authorities report that, with respect to the stronger involvement of the SCM, the latter is well represented during the appointment procedure, notably during candidate interviews. The interview commission is composed of the Minister of Justice, acting as the president of the commission as well as two representatives from the Ministry of Justice, *two prosecutors designated by the Section for Prosecutors of the SCM*, a representative of the National Institute of Magistracy designated by its Scientific Council, an expert in management, institutional organisation and communication designated by the Academy of Economic Studies – Faculty of Management and a *psychologist from the SCM* or from the courts or prosecutors’ offices.
33. With respect to transparency in practice of the *appointment* procedure for senior prosecutorial functions, the authorities report that the Ministry of Justice announced, on its website² on 27 December 2022, the organisation of a selection procedure (27 December 2022 to 27 February 2023) for the following positions: General Prosecutor of the Prosecutor's Office attached to the High Court of Cassation and Justice (PICCJ) and Chief Prosecutor of the National Anticorruption Directorate (DNA). It also published an announcement on a selection procedure (27 December 2022 to 1 March 2023) for the position of Chief Prosecutor of the Directorate for the Investigation of Organised Crime and Terrorism (DIICOT). Each announcement is accompanied by the following information: the estimated schedule for the procedure of the selection of prosecutors so as to allow for appointment proposals; the selection procedure’s progress; the evaluation criteria applied during the interview; the timeframe for the interview and the interview commission’s role and composition. The selection procedures’ results were published on the Ministry of Justice’s website on 27 February 2023 and 1 March 2023, respectively. On the same dates, the Minister of Justice’s reasoned proposals were submitted to the Section of Prosecutors of the SCM, which

² <https://www.just.ro/anunt-privind-selectia-procurorilor-in-vederea-formularii-catre-presedintele-romaniei-a-propunerilor-de-numire-pentru-ocuparea-unor-functii-de-conducere-vacante-din-cadrul-parchetelor-respectiv-pr/>
<https://www.just.ro/anunt-privind-selectia-procurorilor-in-vederea-formularii-catre-presedintele-romaniei-a-propunerii-de-numire-pentru-ocuparea-functiei-de-conducere-vacante-de-procuror-sef-al-directiei-de-investigare/>

in turn issued reasoned advisory opinions. The interviews were transmitted live, by audio-video, on the Ministry of Justice's website³. Out of the three designated candidates for the positions of General Prosecutor of PICCJ, DNA Chief Prosecutor and DIICOT Chief Prosecutor, the SCM only issued a negative opinion for the last case. The first and second nominations were sent to the President of Romania for appointment. In the case of the person proposed as DIICOT Chief Prosecutor, the Ministry of Justice organised another interview, which also covered the issues reflected in the negative opinion of the Prosecutors' Section of the SCM⁴. This interview was also transmitted live, by audio-video, on the Ministry of Justice's website⁵. This nomination was also sent by the Minister of Justice to the President of Romania, for appointment. The same procedure⁶ was applied with regard to the following positions: first deputy and deputy of the PICCJ General Prosecutor⁷, two deputies of the DNA Chief Prosecutor⁸ and two deputies of the DIICOT Chief Prosecutor⁹. The interviews were organised from 7 to 8 June 2023, following which five nominations for six indicated positions were made. For all five, the SCM's Prosecutors' Section issued favourable opinions. The Minister of Justice then sent the five proposals to the President of Romania, for appointment.

34. With respect to transparency of the *revocation* procedure for senior prosecutorial functions, the authorities reiterate the procedure set out in Article 172, in combination with Articles 169 and 170 of Law no. 303/2022 on the Status of Judges and Prosecutors, providing the legal framework that governs the revocation procedure. Article 169 sets out the grounds that may trigger revocation. Article 172(2) in combination with Article 170(1) sets out that the Judicial Inspection verifies the grounds for a possible revocation by drawing up a report which is sent for debate to the Section of Prosecutors of the SCM (Article 170 (1)-(5)). In practice, since the adoption of the new laws on the Judiciary, no case of revocation of high-ranking prosecutors has occurred.

³ <https://www.just.ro/interviurile-din-cadrul-procedurii-de-selectie-in-vederea-formularii-catre-presedintele-romaniei-a-propunerii-de-numire-a-procurorului-sef-diicot/>

<https://www.just.ro/interviul-domnului-procuror-marius-ionut-voineag-din-cadrul-procedurii-de-selectie-in-vederea-formularii-catre-presedintele-romaniei-a-propunerii-de-numire-a-procurorului-sef-dna/>

<https://www.just.ro/interviul-domnului-procuror-crin-nicu-bologa-din-cadrul-procedurii-de-selectie-in-vederea-formularii-de-catre-presedintele-romaniei-a-propunerii-de-numire-a-procurorului-sef-dna/>

<https://www.just.ro/audierile-din-cadrul-selectiei-procurorului-in-vederea-efectuării-propunerii-de-numire-pentru-ocuparea-functiei-de-procuror-general-al-parchetului-de-pe-langa-inalta-curte-de-casatie-si-justitie-2/>

<https://www.just.ro/comunicat-de-presa-al-ministerului-justitiei-20-02-2023/>

<https://www.just.ro/comunicat-de-presa-al-ministerului-justitiei-21-02-23/>

<https://www.just.ro/comunicat-de-presa-al-ministerului-justitiei-24-02-2023/>

<https://www.just.ro/comunicat-de-presa-al-ministrului-justitiei-01-03-2023/>

<https://www.just.ro/comunicat-de-presa-al-ministrului-justitiei-27-02-2023/>

<https://www.just.ro/comunicat-de-presa-12-04-2023/>

⁴ <https://www.just.ro/comunicat-de-presa-23-03-2023/>

⁵ <https://www.just.ro/reaudierea-doamnei-procuror-alina-albu-pentru-propunerea-de-numire-in-functia-de-procuror-sef-al-directiei-de-investigare-a-infracțiunilor-de-criminalitate-organizata-si-terorism/>

⁶ <https://www.just.ro/comunicat-de-presa-al-ministrului-justitiei/>

⁷ <https://www.just.ro/interviul-doamnei-procuror-maria-magdalena-militaru-din-cadrul-procedurii-de-selectie-in-vederea-formularii-catre-presedintele-romaniei-a-propunerii-de-numire-a-adjunctului-procurorului-sef-al-piccj/>

<https://www.just.ro/interviul-domnului-procuror-aurel-sebastian-valean-din-cadrul-procedurii-de-selectie-in-vederea-formularii-catre-presedintele-romaniei-a-propunerii-de-numire-a-prim-adjunctului-procurorului-sef-al-pic/>

<https://www.just.ro/interviul-domnului-procuror-nicolae-andrei-solomon-din-cadrul-procedurii-de-selectie-in-vederea-formularii-catre-presedintele-romaniei-a-propunerii-de-numire-a-adjunctului-procurorului-general-al-piccj/>

⁸ <https://www.just.ro/interviul-doamnei-procuror-tatiana-toader-din-cadrul-procedurii-de-selectie-in-vederea-formularii-catre-presedintele-romaniei-a-propunerii-de-numire-a-procurorului-sef-adjunct-dna/>

<https://www.just.ro/interviul-domnului-procuror-silviu-paul-dumitriu-din-cadrul-procedurii-de-selectie-in-vederea-formularii-catre-presedintele-romaniei-a-propunerii-de-numire-a-procurorului-sef-adjunct-dna/>

<https://www.just.ro/interviul-doamnei-procuror-monica-erika-danciu-din-cadrul-procedurii-de-selectie-in-vederea-formularii-catre-presedintele-romaniei-a-propunerii-de-numire-a-procurorului-sef-adjunct-dna/>

⁹ <https://www.just.ro/interviul-doamnei-procuror-claudia-ionela-curelaru-din-cadrul-procedurii-de-selectie-in-vederea-formularii-catre-presedintele-romaniei-a-propunerii-de-numire-a-procurorului-sef-adjunct-diicot/>

35. GRECO takes note of and welcomes this information. With the progress made in the implementation of the new laws on the Judiciary, the appointment procedure for senior prosecutorial functions has become more transparent. In addition, as already indicated in the previous report, objective criteria are present. For the revocation procedure, this was indicated in the previous report as already having clear criteria. With respect to practice, no case of revocation of high-ranking prosecutors occurred since the adoption of the new laws on the Judiciary.
36. GRECO also takes note that, while the Minister of Justice retains a decisive role in the appointment procedure¹⁰, this role is limited by the fact that his/her decisions are shared with the President of Romania, who may provide a reasoned refusal to the Minister's selection¹¹. In addition, GRECO takes note that the role of the Ministry of Justice has been reduced in the interview procedure, as the composition of the interview commission ensures that the Minister and the other representatives of the Ministry of Justice are in the minority¹².
37. GRECO also notes that the SCM's role has been strengthened in the appointment procedure, as it is now able to issue a negative opinion on the Minister of Justice's selection, triggering a new interview exclusively with the candidate who received a negative opinion¹³. In addition, the SCM's opinions seem to be followed in practice. Furthermore, GRECO encourages the authorities to follow the new system in place for the revocation of high-ranking prosecutors, in line with this recommendation, when faced with such a case in the future.
38. GRECO concludes that recommendation xiii has been dealt with in a satisfactory manner.

¹⁰ Article 147(1) of Law no. 303/2022 on the Status of Judges and Prosecutors.

¹¹ Article 148(4) of Law no. 303/2022.

¹² Article 146 of Law 303/2022.

¹³ Articles 148(2) and 146 of Law 303/2022.

Recommendations issued in the Rule 34 Ad hoc Report of June 2019

Rule 34 Recommendation iii

39. GRECO recommended (i) ensuring that the independence of the prosecution service is – to the largest extent possible – guaranteed by law, and (ii) assessing the impact of the intended changes on the future operational independence of prosecutors so that additional safeguards be taken, as necessary, to guard against interference.
40. GRECO recalls that this recommendation was partly implemented in the previous compliance report. The legislative developments went towards providing stronger independence for prosecutors and their operations in the law, as required by part (i) of this recommendation. However, no assessment had been made of the input of the new laws on the Status of Judges and Prosecutors, on Judicial Organisation and on the SCM, as required by part (ii) of this recommendation.
41. The authorities report that the legal provisions provided for the preparation of the previous compliance report, relevant for part (i) of this recommendation, have not been amended since the new laws on the Judiciary were adopted in 2022.
42. The authorities also report that an assessment of the impact on the operational independence of prosecutors, as requested by part (ii) of this recommendation, is no longer necessary. This is due to the fact that the new provisions reverted back to the wording of the provisions prior to the laws on the Judiciary which triggered the application of the Rule 34 (Ad hoc) Procedure. Moreover, the aim of part (ii) of the recommendations is to make sure that, as a result of the study, additional safeguards be put in place for the independence of the judiciary. The intended legislative changes cannot be a part of a study, since they were repealed after the adoption of the new laws in 2022.
43. GRECO takes note of this information. Part (i) of this recommendation had already been considered as implemented in the previous compliance report. As regards part (ii), GRECO takes note of the authorities' point of view, that the new laws on the Judiciary (adopted in 2022) render unnecessary for an assessment study to be carried out. The reason being that the intended changes in existence at the time of the application of the Rule 34 (Ad hoc) Procedure have now been repealed. GRECO notes that the [EU Rule of Law Report for 2023](#) points to significant progress having been made in reinforcing safeguards for judicial independence by the comprehensive revision of the Justice Laws of 2022. It also notes that the Venice Commission indicates that these laws were heading in the right direction, even though it has made several recommendations¹⁴ to the Romanian Government. In this connection, a panel of high-level experts prepared an [assessment](#) on how to implement the outstanding Venice Commission recommendations. Several of them refer to the issue of the independence of the prosecution service. This is work in progress,¹⁵ which may lead to additional action, and safeguards, being introduced in this domain, as

¹⁴ See paragraph 76, CDL-AD(2022)045. These recommendations are:

1. a competitive selection should be introduced also for deputy managers, not only for presidents of courts and prosecution offices;
2. high ranking prosecutors, including the General Prosecutor, as well as the Chief Prosecutors of the DNA and the DIICOT and their deputies should be appointed for longer periods and without the possibility of renewal;
3. the General Prosecutor should not be able to bypass the prosecutorial hierarchy when s/he finds prosecutorial measures unlawful or unfounded. Such a finding should be passed down through the hierarchy of prosecutors;
4. it should be explicitly provided by law that the judicial police do not report on their activity to the Minister of Interior.

¹⁵ The report of the so-called Justice Panel (*Panelului pentru justiție*) was presented to the Ministry of Justice and forwarded to the Venice Commission and the European Commission, with a view to continuing the dialogue with these institutions to strengthen the independence of justice.

recommended. GRECO encourages the Romanian authorities to continue their efforts in this respect and to keep it informed on the follow up given to this work in progress.

44. GRECO concludes that this Rule 34 recommendation iii has been dealt with in a satisfactory manner.

Rule 34 Recommendation v

45. *GRECO recommended that various amendments affecting the rights and obligations and the liability of judges and prosecutors for judicial errors be reviewed so as to ensure sufficient clarity and predictability of the rules concerned, and to avoid that they become a threat to the independence of the judiciary.*
46. GRECO recalls that this recommendation was partly implemented in the previous compliance report. Legislative developments were made with respect to this recommendation excluding, *inter alia*, the Ministry of Finance from the liability procedure. However, no review of the system and its rules was made, and GRECO therefore could not assess the practice at that stage, as Law no. 303/2022 on the Status of Judges and Prosecutors had just been enacted.
47. The Romanian authorities report that Law no. 303/2022 on the Status of Judges and Prosecutors has been in force since 2022 (and not amended). This Law sets out that the Ministry of Finance (an institution outside judicial authority) must notify the relevant section of the Superior Council of Magistracy (SCM) in order to assess whether a judicial error resulted from the exercise of the function of a judge or prosecutor in bad faith or with gross negligence. At the request of the relevant section of the SCM, the Judicial Inspection carries out verifications and draws up a report, which is then submitted to the relevant section of the SCM for debate. The authorities explain that, to reduce the Ministry of Finance's role, this institution is obliged to exercise its action only if the section of the SCM – after analysing the report issued by the Judicial Inspection – renders a decision finding that a judicial error has resulted from the exercise of a judge or prosecutor's function in bad faith or with gross negligence. In this way, Law no. 303/2022 eliminated the role of the Ministry of Finance in the procedure of patrimonial (property) liability of judges and prosecutors for judicial errors committed in bad faith or with gross negligence, by granting a central role to the SCM, as the guarantor of the independence of the Judiciary.
48. The authorities also report that, in 2023, according to the information provided by the SCM, as a result of notifications issued by the Ministry of Finance (under Article 269 (3) of Law no. 303/2022), the Section for Judges of the SCM ordered verifications in 25 cases to be carried out by the Judicial Inspection to ascertain whether a judicial error resulted from the exercise of the function of a judge in bad faith or with gross negligence. By 22 December 2023, the Section for Judges of the SCM had rendered decisions in two cases, following reports sent by the Judicial Inspection, and concluded that there was no bad faith or gross negligence in either case. The Section for Prosecutors of the SCM also notified the Judicial Inspection in 10 cases to carry out verifications of the same type. These decisions are published on the website of the SCM.
49. GRECO takes note of the information regarding Law no. 303/2022 on the Status of Judges and Prosecutors, excluding the Ministry of Finance from the liability of judges and prosecutors for judicial errors procedure, which was already welcomed in the last compliance report. It notes and welcomes that since the adoption of this Law, practice has shown that the liability procedure seems to be working well, granting the SCM a central role in this procedure, as the guarantor of the independence of the Judiciary. Time will tell whether this procedure will stay the course and GRECO encourages the Romanian authorities to remain vigilant.

50. GRECO concludes that this Rule 34 recommendation v has been dealt with in a satisfactory manner.

III. CONCLUSIONS

51. **In view of the foregoing, GRECO concludes that Romania has implemented satisfactorily or dealt with in a satisfactory manner eight out of thirteen recommendations contained in the Fourth Round Evaluation Report, and all recommendations in the Follow-up to the Ad hoc (Rule 34) Report.**
52. More specifically, recommendations ii, v, vii, viii, x, xi, xii and xiii have been implemented satisfactorily or dealt with in a satisfactory manner. Recommendation i has been partly implemented and recommendations iii, iv, vi and ix remain not implemented.
53. All five Rule 34 recommendations have been implemented satisfactorily or dealt with in a satisfactory manner.
54. With respect to members of parliament, it is highly regrettable that no progress has been made with respect to the five outstanding recommendations since the last compliance report. It is important that the transparency of the parliamentary process be further improved and that the use of urgent procedures be reduced. Conflicts of interest and rules on how MPs engage with lobbyists still need to be introduced and a system of independent counselling for MPs to seek advice on integrity matters also needs to be put in place.
55. With respect to both judges and prosecutors, the efforts made to increase the role of the Supreme Council of Magistracy and the Judicial Inspectorate in responding to risks for the integrity of judges and prosecutors have now been positively noted in the implementation of the new laws on the Judiciary adopted and enacted in 2022. Their implementation so far is promising, however GRECO encourages the Romanian authorities to remain vigilant.
56. GRECO welcomes that legislative measures have been taken that largely comply with the two remaining recommendations addressed by GRECO in this Rule 34 (Ad hoc) Procedure. Notably, the new laws on the Judiciary of 2022 went towards providing stronger independence for prosecutors and their operations in the law. They also provided for clarity and predictability as regards liability of judges and prosecutors for judicial errors. As regards the independence of the prosecution service, GRECO takes note that there is work in progress with respect to additional safeguards being introduced, resulting from the work of a Romanian panel of high-level experts, which addressed outstanding Venice Commission recommendations, several of which refer to the issue of the independence of the prosecution service. GRECO welcomes the progress made with respect to judges and prosecutors and encourages the Romanian authorities to continue their efforts regarding the work in progress and to keep it informed on the follow up given to it.
57. Pursuant to paragraph 9 of Rule 31 revised of the Rules of Procedure, GRECO requests the Head of Delegation of Romania to provide a report regarding the action taken to implement the pending recommendations (i.e. recommendations i, iii, iv, vi and ix of the Fourth Round Evaluation Report) by 30 June 2025.
58. The adoption of this Second Compliance Report terminates the compliance procedure in respect of the Follow up to the Ad hoc (Rule 34) procedure.

59. Finally, GRECO invites the authorities of Romania to authorise, as soon as possible, the publication of this report, to translate it into the national language and to make the translation public.