



Open letter to

The General Prosecutor of Romania, Mr. Alex Florin Florența

The Prime Minister of Romania, Mr. Marcel Ciolacu

The Minister of Justice, Mrs. Alina Gorghiu

The Minister of Interior, Mr. Cătălin Predoiu

The Superior Council of the Magistracy

It's been more than two years since personal photos of the investigative journalist Emilia Șercan were published online without her consent after she had made revelations about the plagiarised doctoral thesis of then-Prime minister. In early September this year, and, respectively, in April, the [Bucharest Court of Appeal](#) and the [High Court of Cassation and Justice](#) (H.C.C.J.) eventually overturned the prosecutors' orders to close the investigations related to the Emilia Șercan, which yielded no result. We, the undersigned organisations, welcome these encouraging decisions and call on you to ensure, in accordance with your institutional attributions, that all judicial files concerning journalist Emilia Șercan are instructed independently and swiftly by the General Prosecutor's Office, so that those responsible for the crimes committed against her are brought to justice.

The recent judicial decisions show what journalist Emilia Șercan has maintained from the very beginning: that these prosecution files were handled in an erroneous way, lacking objectivity and without any interest in pursuing the truth, ignoring Emilia Șercan's procedural as well as professional rights.

Furthermore, the judges emphasize the link between the coordinated defamation campaign targeting the journalist, which may have also involved officers of the Romanian Police, and her public-interest journalistic investigations regarding the plagiarism committed by high-ranking officials. Moreover, they note that a potential *"cover-up of the leak of the screen capture from the police, are of a particular gravity for the rule of law"*¹.

¹ Excerpts from the [Bucharest Court of Appeal Decision from September 5th 2024](#) in Court file no. 65/2/2024

We believe that the way in which the entire “kompromat” operation against Emilia Șercan was carried out, with the probable complicity of police officers, the Prosecutor's Office, and high-ranking politicians, who contributed both to the violation of Emilia Șercan's fundamental rights, as well as to the attempts to cover up these crimes, represents a major failure of Romania's institutions in guaranteeing the rights of a journalist. It is symptomatic of the systemic deficiencies of the rule of law in Romania, compromised by political interests.

The recent judicial decisions reflect a dedication to law enforcement, professionalism, and concern for fundamental rights and for the public interest. We call on you to ensure that these principles of rule of law guide the further decisions in the files concerning the case of journalist Emilia Șercan.

The 38 signatories:

Reporters without Borders ; ActiveWatch ; International Press Institute (IPI) ; European Centre for Press and Media Freedom ; OBC Transeuropa (OBCT) ; Center for Independent Journalism ; Free Press for Eastern Europe ; Free Press Unlimited (FPU) ; The Coalition for Women in Journalism ; Centre for Public Innovation ; Átlátszó Erdély ; Funky Citizens ; Centre for Legal Resources (CRJ) ; Romanian Trade Union of Journalists MediaSind ; Friends For Friends Foundation ; Resource Center for Public Participation ; APADOR-CH ; Comunitatea Declic ; Centrul pentru Politici Durabile Ecopolis ; Agent Green ; Initiative Group Civic Floreasca ; Forum Apulum ; Association Bankwatch Romania ; Center for Media Investigations ; Buletin de București ; Misreport ; Casa Jurnalistului ; Snoop ; Inquam Photos ; PressOne ; Info Sud-Est ; Transtex Newsroom ; PaginaDeMedia Newsroom ; Public Record ; Context.ro ; Dela0 .ro ; Recorder Newsroom ; HotNews

"When resuming the criminal prosecution, of course, it will be necessary to take into account what was also stated by the judgment pronounced in the case 1450/1/2023 of the H.C.C.J., which established that the reunification of the cases is required - the present case and the case before the H.C.C.J.

The arguments in that judgment regarding *the complex, coordinated, and organized nature of the alleged criminal activity through which the petitioner's right to private life, dignity, and right to self-image were violated* are also fully endorsed by the Judge of the Preliminary Chamber from the Bucharest Court of Appeal.

The Judge of the Preliminary Chamber also considers that this campaign of which the petitioner is the victim, is not unrelated to the well-known context of the investigations she carried out during time, mainly of uncovering the plagiarism of the doctoral theses of some persons with important positions in the state, including the Romanian Police.

Thus, the Judge of the Court of Appeal considers, in agreement with the H.C.C.J. Judge, *that the defamation activity against her, as well as the alleged criminal activity of covering up the leak of the screen capture from the police, are of a particular gravity for the rule of law and it is necessary to be fully investigated, so that, based on evidence, it is ensured that the truth about the facts and circumstances of the case, as well as regarding their authors are found.*"