

# **E.U. – ROMANIA: The European Arrest Warrant is making Britain complicit in political persecution**

By Ben Kelly

The Telegraph (19.10.2016) – <http://bit.ly/2dpxIP9> – Brexit may mean Brexit (whatever that eventually means), but does it entail abolishing the European Arrest warrant? Indeed it should, but as our Prime Minister is a keen advocate of the EAW, it currently seems rather unlikely.

The EAW is based on the cursory assumption that all criminal justice systems in the EU are equal and uphold similar levels of equity between the citizen and the state. This is underpinned by the downright dangerous delusion that the European Convention on Human Rights is earnestly and correctly adhered to by all requesting nations.

The evidence points to the contrary. In fact, perhaps it should be explicitly acknowledged: not all justice systems in Europe are equal. Some do not operate separately from the state and some are blatantly corrupt.

Now, in the case of Alexander Adamescu, Britain has the opportunity to impart some integrity and uphold a measure of justice. Alexander, a German citizen and writer, was arrested

in London in June this year by means of an EAW issued by the Romanian authorities just two hours before he was due to speak at a conference about the abuses of the EAW system. The Romanian embassy had instructed the London Metropolitan Police to apprehend Alexander before the event to prevent his appearance; they shamefully obliged.

Alexander, who moved to London in 2012, is accused of alleged offenses of corruption in Romania for which his father received a sentence of four years and four months imprisonment in what clearly amounts to a case of political persecution.

Dan Adamescu, a German citizen and businessman, was the owner of Romania's biggest insurer, Astra, and the conservative newspaper Romania Libera. After the fall of communism, the newspaper became known for its editorial independence and support of democratic values and the transition of Romania into a market economy.

It was a fierce critic of the Social Democratic Party, the successor organisation of the Communist Party, and regularly attacked the party's last leader Victor Ponta, who served as Prime Minister from 2012 – 2015. This criticism, and its outspoken support of Ponta's political rival, Traian Basecu, made the Adamescu family many powerful enemies.

Ponta's revenge for the years of criticism has been merciless and thorough. The government, the regulators and courts have colluded to drive Astra into liquidation and then nationalisation, and cut off Adamescu's funding to Romania Libera thereby curbing its influence.

In May 2014, Dan was accused of bribing judges and summoned as a suspect by prosecutors. Only two days after Dan Adamescu's summons, in an act that would be seen as a fundamental subversion of the people's rights in any truly free country, Prime Minister Victor Ponta made a public statement on television in which he directly accused Dan Adamescu, in the first of several public accusations, of leading a "network of corruption" and concluding his allegations with the chilling prediction: "I am certain that we will shortly be hearing even more things about this from the state prosecutor's office".

Sure enough, within a fortnight, masked and armed anti-terror police raided Mr Adamescu's home and arrested him. He was subsequently paraded in front of TV cameras and denounced as a criminal in the state-backed media.

The very next day, he was stood before a judge accused of witness tampering for helping to organise a lawyer for his Finance Director (subsequently a prosecution witness). The judge declared that he "must be exposed to public shame".

Indeed, he must have reflected on the cost of speaking freely in Romania as he sat in his dirty, overcrowded cell for the first time and granted only one hour a day in an 'outdoor space' with a metal grate roof and a floor smeared with human excrement. It was just the beginning of his cruel and inhumane treatment.

In October 2014 his show trial was swift and based on the testimony of one witness who was plainly shown to be

contradicting himself. Prosecuting lawyers were frequently interrupted and cut short, as was Mr Adamescu himself. The guilty verdict was inevitable. In 2015 an appeal was heard and dismissed with a key prosecution witness bizarrely being allowed to absent himself from the proceedings.

Dan Adamescu was repeatedly refused bail, with presiding judges making numerous pronouncements that make a mockery of the notion of the presumption of innocence, a right enshrined in the ECHR. They argued that he and the other defendants couldn't be freed because they "continued to deny committing the crimes of which they are accused". As if protesting one's innocence was itself a crime worthy of detention! Another judge referred to "the seriousness of the illegal actions committed by him", a statement of almost comical absurdity.

Dan Adamescu is now wheelchair-bound due to crippling knee arthrosis for which he has been refused much needed surgery. His various medical ailments include an eye infection that has rendered him blind in one eye due to the denial of proper treatment and he has been declared unfit for imprisonment by his German doctor.

Despite this he still languishes in Romania's medieval prison system, having to be helped to the toilet (a hole in the ground) by his fellow inmates. He fears being forgotten by the international community and that he will perish in prison.

Somehow, this reprehensible abuse is occurring in a fellow EU member state in 2016. Now Britain must do the right thing and refuse to send Alexander Adamescu to face the same kangaroo

court. It is evident that the warrant is politically motivated and Alexander Adamescu's human rights are likely to be violated. There's little chance of a fair trial when guilt has been spuriously attributed from the outset.