

DLAF Case study

BEGINNING OF THE INVESTIGATION

- Anti-Corruption National Directorate (DNA) notified DLAF the discovery of fraud suspicions regarding the implementation of a EU-funded project that aimed to extend the water network of three villages in Romania, Moldova and Ukraine
- The project was funded through the Joint Operational Programme Romania – Ukraine – Republic of Moldova 2007-2013
- The total eligible value of the project was 1.252.560 EUR (959.238,85 EUR from EU funding)

BEGINNING OF THE INVESTIGATION

- The suspicions were related to the fact that the mayor of the Romanian village (A) hired his daughter-in-law (X) and the village accountant's (B) daughter (Y) in the positions of project manager and assistant manager
- The two women (X and Y) told the DNA prosecutors they did not perform any activities related to the project, but they earned their monthly salary

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- The DLAF investigations comprised discussions (interrogations) with the two persons (X and Y), the mayor A and the accountant B and obtaining the documents used for the payment of the salaries
- X was mentioned in all the documents with her former name, before marrying the mayor's son, in order to avoid raising any doubt regarding a link between her and the mayor
- During the DLAF hearing, she told the investigators she married the mayor's son after being hired in the project, therefore she kept using her former name in all the documents. Still, she admitted she did not have any studies linked to the specific of the project

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- Y admitted she was hired as assistant manager because her father was the village accountant and she wasn't submitted to any interview or selection for occupying the job. Also, she admitted she didn't perform any activities in the project
- The accountant B stated that he was the author of all the documents regarding X and Y activities in the project and he even signed these documents on behalf of his daughter
- In total, 151 forged documents (salary sheets, activities reports) were used during 2 years to justify the activities of the two women, in order to obtain the payments from EU funding. The total ammount of money obtained using these documents was 13.651 EUR

DLAF INVESTIGATION

- Therefore, giving that these documents containing false information regarding the activities of the two women (X and y) were sent to the managing authority in order to obtain payments from EU funding, DLAF considered this to meet the requirements of the criminal offense stipulated by article 18¹ from Law no. 78/2000, which states that *„the use or presentation, in bad faith, of false, incorrect or incomplete statements or documents, which has as its effect the misappropriation or wrongful retention of funds from the general budget of the European Communities or budgets managed by, or on its behalf, shall be punished by imprisonment from 2 to 7 years and the prohibition of certain rights”*. Also, the requirements of art. 301 Penal Law were met, representing the abuse of office in order to gain an unjustified advantage for a relative

OUTCOME OF THE INVESTIGATION

- DLAF sent the results of its investigation to DNA, in order for them to prosecute the possible criminal offenses of the mayor A, the accountant B and the two women (accomplices)
- DNA prosecuted the case and the court condemned the participants with suspended sentences

Thank you for your attention!

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