

Letter to the President of the European Commission,

Mrs Ursula von Der Leyen

SUMMARY. Cristian Ghinea, former Minister of European Funds (December 23, 2020 - September 8, 2021) was the person appointed by the Romanian Government to draft the PNRR (NATIONAL RECOVERY AND RESILIENCE PLAN). His work style was, according to his own statements, to gather the existing projects of the ministries "which were, until now, supported by national money and to move them directly to PNRR". Public opinion did not have access to the artefact from the compilation of these isolated projects until its approval in Brussels on September 27th last year. Not being the product of a wide consultation, the document generated a wave of criticism, as it was known, from many segments of society - entrepreneurs, civil society, and journalists. In essence, the PNRR is considered to be deviating from the rationale of the European Restructuring and Resilience Mechanism approved by the European Council, becoming a rather ideological document, which brings together political objectives of the party to which Mr. Ghinea belongs.

What raised the question was the decision announced by Cristian Ghinea on December 22nd last year, that he would resign from the leadership positions in his party (not as a member) because he will work in a company that would deal with two things: monitoring the PNRR and advising local mayors on how to access PNRR funds. He also said that the company will be funded by the European Parliament, through its party colleagues, Member of the European Parliament, Dragoş Pâslaru and Vlad Botoş!

Romanian public opinion is surprised by the manoeuvre of a former minister who will be paid with European funds to monitor what he did himself when he was minister and then to explain to mayors what he wanted to write in the document he had to explain free of charge, as a minister.

The authors of this Open Letter are wondering to what extent the person who, as the country responsible for carrying out the PNRR, has benefited from all the database, all the details of the projects and all the information, some privileged, can become a private consultant, paid from European money for the project he signed as a minister?

How does the EC management assess this case? Can it be considered a conflict of interest, given the principles of ethics and integrity at European level?

Can the person responsible for the total lack of communication and information of the population be financed from European funds - so that

now they can "arrange" European funds to deal with the "communication of PNRR"?

Finally, who exactly will use the monitoring carried out on European money by the former Romanian minister - the European Commission or the European Parliament?

Mrs. President,

We are a group of Romanian intellectuals - teachers, journalists, entrepreneurs - both concerned with consolidating the prestige of the EC in our country, as well as with exploiting internally the recent opportunities offered by Romania's membership in the European Community.

We are addressing you on the topic of PNRR - a project that you symbolize and personalize and that you consider to be the essence of the "EU governance program". The Recovery and Resilience Mechanism adopted at your initiative for the EU area aims – and we quote - “*to emerge stronger from a pandemic, to transform our economies, to create opportunities and jobs in Europe, as we want it to be.*”

According to the founding documents of the Mechanism, national PNRRs have no purpose other than the **economic and social recovery** of the member states affected by the crisis generated by Covid 19 and, therefore, to **increase their resistance to the global crises**, as the one we are in.

To the same extent, we consider that the position of President of the EC symbolizes the set of essential moral values on which depends the trust in the European institutions and, implicitly, in the programs and measures that you have endorsed with your personality and for which you need the European citizens to follow you.

We are also encouraged in this endeavor by the fact that, like the visit to the other countries that had submitted PNRR, you honoured us by your personal participation in Bucharest, on September 27 *last year*, with the approval by the European Commission of PNRR for Romania, worth 29.2 billion euros.

In Romania, the road to this starting point of the PNRR has been marked by some significant milestones, which we would like to recap as a *second opinion* on what is being officially transmitted to you in order to understand the context of this approach and the reason for which we ask for your opinion on the reported problems.

1. The person in charge of Romania for the achievement of PNRR was appointed on January 20, 2021, being the Minister of European Funds, Cristian Ghinea. In the same Government meeting, a Memorandum was approved for the "position of the Romanian Government on the National Recovery and Resilience Plan (PNRR)", which set March 5 *last year* as the deadline for an updated document.

2. In a press conference held immediately after his appointment as person in charge with the PNRR, Minister Ghinea presented his work style, by which he will prepare this document - namely that he will collect “mature projects from ministries and implement them directly”,...“ to take over those projects that were until now

supported using national money, to move them to PNRR ”, adding:“ This is the logic of the whole PNRR, it is an instrument of financing the reforms”.

As can be seen, this "profession of faith" excluded from itself any consultation with specialists, economists, entrepreneurs, anyone and any organization regarding the vision and concrete content of a program unprecedented in the history of Romania. Such a broad consultation was mandatory, as the PNRR was to be carried out in practice not by his ministry, but precisely by those who had to be consulted and involved in the conception of the PNRR. This consultation (following the model of Italy, for example) was not possible in Romania.

We also note from the statement of principles of Minister Ghinea the fact that the PNRR is "an instrument of reforms", understanding by this word - as it turned out later - a PNRR that would include political objectives of his own party, with studies and consulting about what needs to be done, not what is being done.

3. Although, as he stated, it was based on the work of the ministries, he would only make a heterogeneous compilation (which proved to be unfortunate and unsuccessful); Minister Ghinea and his team failed to submit the project until March 5, as they had promised, nor did they succeed until the end of April, which was the deadline established in Brussels.

4. Between April and September, under the signature of Minister Ghinea, 3 draft PNRRs were sent to Brussels in succession, but all were rejected by Commission experts, who "did not approve the proposals made". These infamous drafts and the comments received from Brussels are not known, but we can assume that the politically engaged essays of Minister Ghinea could not take the place of rigorous economic and social programs.

5. Arrogantly defying the principles of transparency and the permanent dialogue between the governor and those governed, towards which the institution you lead constantly urges us, Minister Ghinea secreted, by his own power, the 3 revised editions of his literary "work" which he calls "PNRR drafts", like all correspondence with European experts, which contained the arguments for rejecting the drafts sent and the advices to consider for a successful document.

6. This obtuseness manifested by Mr. Ghinea in the elaboration of a document that engages the whole nation, the succession of variants made / sent and returned, his ambition to make this PNRR a "personal masterpiece" without participation and expertise of those who are good at economics, led to the violation of the established deadlines, producing a delay of 5 months in the start of the procedures of PNRR concrete development, with all the consequences that derive from here. The delay is extremely serious for Romania, because, losing the year 2021, we have only the year 2022 to commit, according to the Regulation, 70% of the PNRR grants, the difference of 30% having to be accessed before December 31, 2023.

7. While 16 other states have received the money from the PNRR and have already opened the sites, Romania is paying tribute to the failure to implement the steps due to the inability to carry out this Plan by the person directly responsible, Ghinea.

8. One month after the approval of PNRR in Brussels, Minister Ghinea himself appeared at a press conference announcing that we should not have any illusions about attracting money, because *“there are 22 laws to be given by June next year. If these laws are not given, then we will not be able to make another request for payment at that time (...) ... **There is a risk of not achieving the targets in the PNRR** (set by him), because Romania is locked in a bureaucratic mess ”.*

9. Shortly after taking over the government, Prime Minister Nicolae Ciuca, a reserve general - the only EU military prime minister - announced *“Romania is lagging behind in almost half of the 21 objectives set to be achieved by end of this year through the bilateral agreement with the European Union”.*

10. After the dismissal of Minister Ghinea, together with the whole government of which he is a part, and on November 25 last year, another government was installed, without including anyone from Ghinea's party; there began to appear sporadic information about the content of "PNRR Ghinea".

We believe that it is fair to say that the complaints generated by the content of this Plan are exponential in Romanian society, with more and more frequent voices - governmental, but also from civil society - demanding the renegotiation or modification of some of the clauses or projects included, without any connection to "restructuring and resilience of the economy." (It is enough to give you the example of providing substantial funds for the quasi-museum parts of old prisons - a work in progress for the painful memory of a nation, but we believe that those who support such projects can find their place elsewhere and another time; they cannot be a priority now, in an eminently economic plan, destined for a country collapsed by the Covid crisis).

Unrelated to "restructuring and resilience", there are also some clauses that repeat the same dull idea on justice. The humours of a losing political group, the intellectual frustrations and unhealed complexes of people without the strength of social creativity, unable to think visually about the country and profiteers of an anti-corruption industry, have frozen Romania for 14 years in the project called MCV. The same characters have now found the opportunity to clone this shameful strap - both for Romanians and for Brussels - in a version *reloaded* on the economy, that is to make this PNRR a kind of MCV on Economy, as it is on Justice.

From all the announcements made in Brussels and from your statements, we have deduced that the European Recovery and Resilience Mechanism, with its national expressions in PNRRs - has an exclusively economic dimension - not a legal or cultural one. In fact, the founding document of the Mechanism adopted at your initiative does not say anything about justice and museums. I quote: *“We are talking about a unique chance in life, to get out of the pandemic stronger, to transform our economies, to create opportunities and jobs in the Europe we want. It is time to take action, to make Europe greener, more digital and more resilient! A total of EUR 2 018 billion will help rebuild Europe in the aftermath of the COVID-19 pandemic. A reconstruction that will make Europe greener, more digital and more resilient!”*

Of course, you will say that the concrete provisions passed in "PNRR Ghinea" are a matter that will not concern you, being the result of negotiations or, moreover, the desire of some internal political circles that the experts from Brussels have respected. You are right.

Nevertheless, your political experience will surely tell you that, in such situations, the humiliation is directed not towards the loser Ghinea, but towards Brussels, towards the European Commission, towards you, even if the boulder of stupidity has been thrown in the water by incompetent ministers, who would be removed from office by a motion of censure.

The first consequence of the above is that the hope and optimism generated in Romania when you announced the initiative of this European Recovery and Resilience Mechanism were altered, if not destroyed by the catastrophic way in which Minister Ghinea exercised his incompetence on the backs of an entire people, who even now, three months after the approval of PNRR, does not know, is not sure and does not understand what projects and reforms will be carried out.

The second consequence: Romania's dissatisfaction with this "PNRR Ghinea" will also be reflected in a deepening distrust in Brussels institutions, in the strengthening of Euroscepticism and in the growing popularity of sovereignist or even nationalist movements in the country. However, we believe that these issues should be of interest to you as well.

I presented this short report on the PNRR in Romania as a background against which a fact that has taken into account the public opinion in our country is projected: former Minister Ghinea, author and signatory of the PNRR sent and approved in Brussels, announced publicly on December 22 last year that he would step down from his party leadership (not as a member) because he would work for a company that would do two things: monitor and conduct PNRR support and advice mayors / local councillors on how to access PNRR funds. He also says that he has been working with his subordinates in the construction of this private company since he was a minister. (We would like to mention that the act by which paid civil servants work in private interest is considered a crime in the Romanian legislation).

Former Minister Ghinea also announced that the company will be funded by the European Parliament (not the Commission!), through his party colleagues, MEPs Dragos Paslaru and Vlad Botos!

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We also add that the Government had recently adopted an Emergency Ordinance establishing a number of state institutions, which will deal with the monitoring that Ghinea wants to do with European funds. These institutions include the Ministry of European Investments and Projects, the Ministry of Finance, the

Interministerial Committee for the Coordination of PNRR, the Monitoring Committee of PNRR, the Interministerial Committee for Public Procurement, the institutions responsible for implementing reforms and / or investments established within PNRR, the Audit Authority, its Competition Council, ANAP, ANI, DLAF, OLAF, EPPO (European Public Prosecutor's Office) / DNA. What else can the Ghinea-Paslaru-Botos triplet do in such a crowd of monitors and coordinators?

In view of all the above, please clarify the Romanian public opinion:

- To what extent the person who, as responsible for the PNRR, benefited from all the database, all the details of the projects and all the information, some privileged, can become a private consultant for the project signed as minister, being paid from the European money on the channel of the MEPs party colleagues Dragos Paslaru and Vlad Botos?

- How does the EC management appreciate this case? Can it be considered a conflict of interest? Or is it just a trivial violation of professional ethics, principles of ethics and integrity at European level?

- Is it possible for the person responsible for the deliberate delay of the PNRR, for the repeated deficient way in which he drafted this document and, especially, for the total lack of communication and information of the population, to be financed from European funds and "arrange" European funds to deal with "PNRR communication"?

Basically, the former Minister Ghinea has not finished half of the 21 objectives assumed by the Romanian Government, as stated by Prime Minister Nicolae Ciuca, and now he announces that he is dedicated to monitoring the PNRR as a "man of business, financed from European money".

We believe that European funds - be they EP or EC - cannot be used to finance such services. However, it is not our opinion that matters, but the institutional one of the European Commission.

That is why, dear President, we look forward to hearing from you so that the public opinion in our country can understand to what extent such an insinuated attitude at the level of high dignity, for a minister, is possible, tolerated or even accepted by the European Commission.

Best wishes for the New Year,