

National Anticorruption Directorate

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PUBLIC MINISTRY
PROSECUTOR'S OFFICE
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HIGH COURT OF CASSATION AND JUSTICE

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PRESS RELEASE

The prosecutors within the National Anticorruption Directorate - the Section for Combating the Corruption Offences Assimilated to those of Corruption, ordered the **start of the criminal action and the measure of the judicial control for 60 days** against the following defendants:

SZECHELY MIHAELA VASILICA, acting as a councillor of the Minister of Transport between July 10th, 2012 - December 21st, 2012, for committing the offences of traffic of influence and money laundering.

FAVINO ROBERTO PASQUALE, the husband of the above-mentioned person, acting as an associate partner within the company TEAM DELTA PROIECT, for committing the offences of traffic of influence and instigation to money laundering.

MOCANU ALEXANDRA, acting as an administrator of the company TEAM DELTA PROIECT, for committing the offence of money laundering.

The judicial control measure imposes on the three defendants a series of obligations, including not to leave the country except with the consent of the prosecutor and not to communicate directly or indirectly with certain persons mentioned in the Ordinance.

The **start of the criminal action against the legal person TEAM DELTA PROIECT** was also ordered in the same case, for committing the offence of money laundering.

The present case deals with the circumstances and the destination of a kickback amounting to more than 2 million euro, received in exchange for unblocking some payments due by the State to a company for rehabilitation works of some railway sections. The rehabilitation works were carried out on the Bucharest-Constanta railway sections. 75% of the works were financed with European funds and 25% of the works were paid with money from the state budget.

In May 2012, in exchange of the delivered works, the construction company had to collect from the Romanian State, through the beneficiary of the works, CFR (Railway Company), the amount of 15 million euro.

In the ordinances of the prosecutors on the ordering of the judicial control, there are data and evidence that describes the following state of fact:

During 2012, while acting as the councillor of the Minister of Transport, the defendant Szechely Mihaela Vasilica claimed amounts of money from a representative of the construction company, and during 2012-2015, she received the amount of 9,410,375.7 lei through the company TEAM DELTA PROIECT that she was controlling at the time.

In exchange for the money, the councillor promised that, due to her interceding with the officials of the Ministry of Transport (her influence resulting from her capacity of personal councillor of the Minister of Transport), she would make them take the necessary steps so that the Ministry would allocate the money owed to the company to CFR SA.

A part of the received kickback, namely the amount of 1,011,550 euro, was transferred to the account of some Belgian consultancy companies and used to pay for advertising services provided during the election campaign for to parliamentary elections in 2012.

The other two co-defendants participated in the criminal activities. Thus, Favino Roberto Pasquale facilitated the communication between the councillor and the construction company's representative, concerning the conditions and the manner in which the kickback was paid. Mocanu Alexandra, who took over from Szechely Mihaela Vasilica the task of administrating TEAM DELTA PROIECT (the company used for the payment of the kickback) after the latter got the job of councillor of the Minister of Transport, ordered the transfer of the amount of 1,011,550 euro to the accounts of the Belgian firms, knowing that the money was actually proceeds of crime.

The present case file was the result of a request for judicial assistance submitted by the Belgian authorities, and the investigation is carried out in the framework of a Joint Investigation Team, an instrument for international judicial cooperation in criminal matters between the Member States of the European Union, which included DNA and law enforcement authorities from Belgium. The investigation is carried out with the support of OLAF and Eurojust.

We point out that the start of the criminal action is a stage in the criminal proceedings regulated by the Criminal Procedure Code, aiming to create a procedural framework for the administration of evidence, an activity that cannot, under any circumstances infringe the principle of presumption of innocence.

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