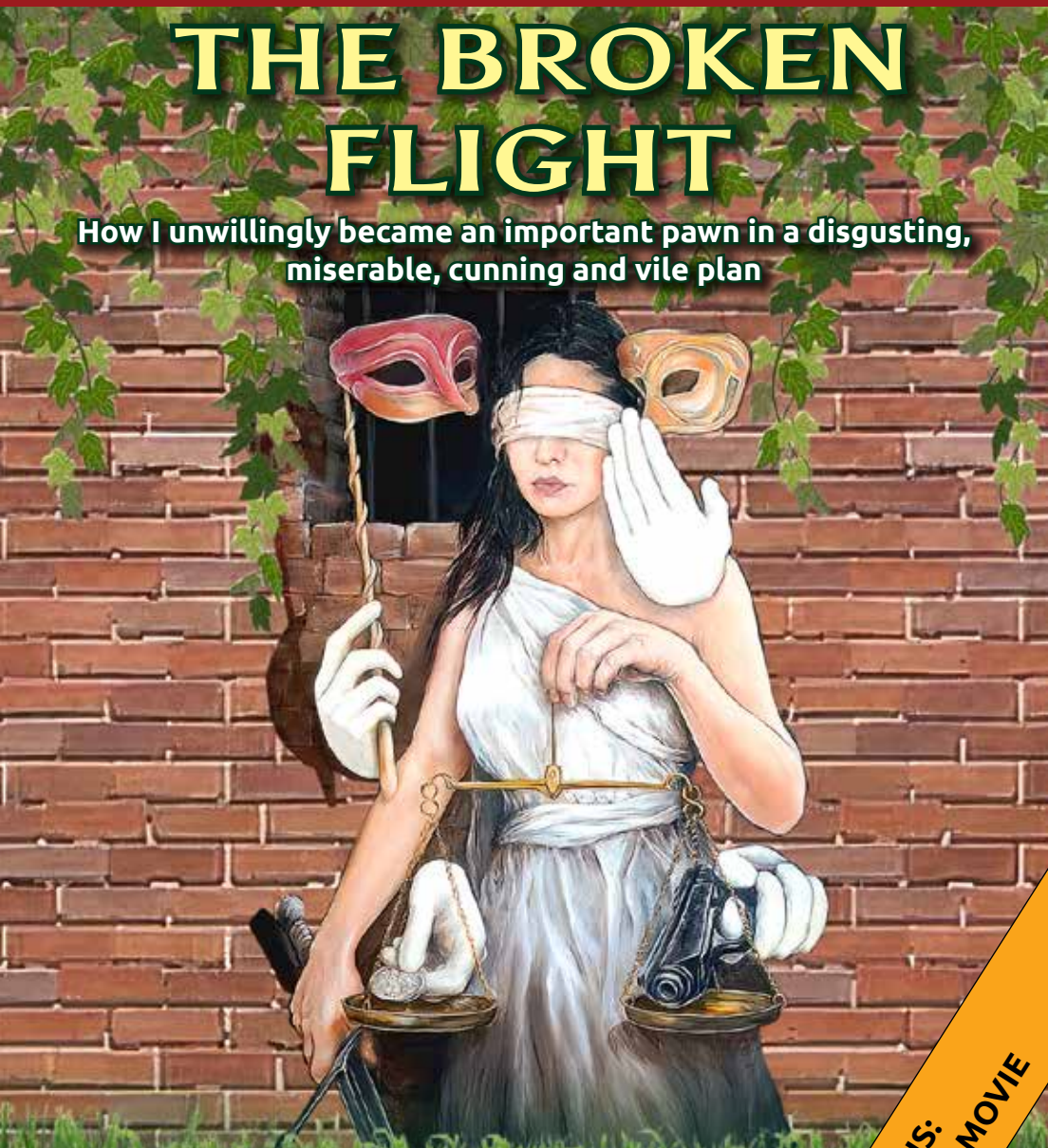
Mădălina Dumitru

My story, as I lived it in reality

# THE BROKEN FLIGHT

## How I unwillingly became an important pawn in a disgusting, miserable, cunning and vile plan



After years and years of persecution, mockery, dishonour, injustice, humiliation, abuse, threats, violence, calumny, harassment, fear, shame, depression, insomnia, and suffering, I dare to unmask the stigma of terror that the Romanian State authorities marked me with, in order to orchestrate the trial through which they sought to destroy the MISA Yoga School and the imprisonment of the innocent Yoga Teacher Emeritus Gregorian Bivolaru.

BONUS:
AN EDIFYING MOVIE

*The author of this work, Mădălina Dumitru, in an interview in which she spoke about the injustices she endured for many years, as a victim of the abuses of the Romanian authorities, which are the subject of this book.*

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How I unwillingly became an important pawn in a disgusting, miserable, cunning, and vile plan

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**WE WANT ALL THE INFORMATION GIVEN TO US ABOUT THE SPIRITUAL YOGA SCHOOL**

# M.I.S.A.

**TO BE TRUE!**

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# FOREWORD

"*The truth does not change because it is, or is not, believed by the majority of people.*" - Giordano Bruno

This book was born as an answer to the essential question, "Why?" It is the result of some perseverant personal research, which led me to the discovery of the astonishing truth hidden behind all the tragic events that started for me in 2004. My intention is to speak about the nightmare through which the Romanian State authorities forced me to unwillingly go through.

Until 2004, I was an adolescent like all the others. Since then, my life has become a horror movie directed by the authorities. While everything around me seemed chaotic, lacking meaning and direction, the questions: "*Why?*", "*Why me?*", "*Why all of this?*" were born in me and continued to appear as a recurring theme. These questions led me towards the cruel and harsh exit from the sweet ignorance of childhood. I sought to understand and update myself. I found out that, in fact, I was an unwilling pawn in a much larger plot aimed at the destruction of the MISA Yoga School and the imprisonment, at any cost, of Gregorian Bivolaru.

Only now, after years and years of persecution, mockery, dishonour, humiliation, abuse, threat, violence, calumny, harassment, fear, shame, insomnia, depression, and profoundly traumatising suffering, do I truly feel completely free to express myself. I dare to unmask all the hardship and injustice that I endured from the Romanian State authorities and mass media. Even after all the attacks and abuses I endured, I still believe sometimes that everything is just a nightmare from which I will wake up. Unfortunately, the reality is that this is my life. With the silent participation of the prosecutors, the police, the SRI (Romanian Intelligence Service), and even the judges, I was forced to give false declarations, I was illegally arrested, I was beaten, threatened, terrorised with jail, I was humiliated and mocked in front of the whole country. I was unable to finish school. I was forced to live in isolation for many years. There were days when I wished I would never leave the house again. I felt embarrassed to face those I knew, and I ended up avoiding meeting new people. I don't like to complain; I don't like to think of myself as a helpless

person, but I became the victim of an absurd and unjust justice system that follows its despicable goals at any cost. I am not a victim of Gregorian Bivolaru. I have said that continuously for more than 15 years. I have the feeling that those who can help me are deaf or blind, or they are puppets who, in reality, cannot do anything.

Through this book, I want, on the one hand, to sound an alarm regarding the corruption that exists in the Romanian justice system, and on the other hand, I want to clarify, once and for all, the fact that I, Mădălina Dumitru, never had an intimate amorous relationship with Gregorian Bivolaru. Thus stopping forever this nightmarish circus caused by the set-up situation that destroyed my life, which was created exactly by those who were supposed to protect me. I hope that in Romania, the country where I was born and where I live, a so-called democratic country, where they shout loud and clear that we all have the freedom to choose how we want to live, I will also have justice. With God's help, I hope this ardent aspiration of my soul will be fulfilled.

From the very beginning, I want to emphasise that I only intend to speak about the tragedy I have experienced and present the conclusions I have reached after years of searching for the truth. My story, though, cannot be dissociated completely from its context, namely, the furious campaign against MISA and its founder, Gregorian Bivolaru.

In my case and implicitly in MISA's case, the truth is that a criminal file was falsely concocted at the political behest of the wicked and powerful. These types of practices are not isolated and were not used only in this case or only in this country. I also discovered similar situations in the case of authentic spiritual groups in other countries. The scenario is the same: sexual scandals that aim at the denigration and even wrongful imprisonment of the targeted person are set up.

In all these years, I have been convinced, unfortunately at my own expense, that the terrible pressure exercised upon me was caused by the obsessive desire to incriminate Gregorian Bivolaru at any cost. I am the victim of prosecutors and investigative bodies who have used me in this politically manufactured trial in order to wrongfully incriminate Gregorian Bivolaru. Back then, in 2004, when everything started, I was 17 years old. I was very young; I didn't have any life

experience. I was faced with an extremely violent shock, being brutalised, forced, beaten, and threatened to write a false testimony at the prosecutor's dictation aimed at incriminating Gregorian Bivolaru. In order to obtain this false declaration and to then stop me from telling the truth about how the investigators obtained it, they stopped at nothing to destroy my life, which had just started. Based on its momentary interests, the Romanian judiciary made *a mockery of* my legal proceedings. Half-joking, I can say that I could even enter the Guinness Book of Records in the judicial section.

I had almost simultaneously three legal proceedings which excluded one another. I was treated either as a dangerous offender (when the false declaration of 18 March 2004 was forcibly extracted from me and even in certain hearings) or as a witness (this was the reason invoked by the prosecutors to not take into consideration the correct declaration given by me the very next day after the events, on the morning of 19 March 2004, in which I said that one day previously, on 18 March, I was forced to sign a false declaration), or as a defendant (legal proceeding based on which the corrupt judiciary started the lawsuit against Gregorian Bivolaru, although I did not suffer any injustice from this man).

In reality, I was just the victim of the authorities. Although for all these years I shouted out loud with all my power that everything the mass media was proclaiming about me is not true, I lived in a country of the deaf and blind. Hardly anyone, with extremely few exceptions, wanted to listen to me or pass on my story. This battle with the windmills made my situation appear even more dramatic. Unfortunately, everything I have experienced since 2004 has had and still has, 17 years later, a negative impact on me. However, beyond all this, what nobody has been able to take away from me is my relentless desire to understand and find out the truth. For years, I asked myself: "*Why*?"

It was this thirst for truth that prompted me to write these pages, and thus, this book was born, which I hope will make my voice heard. I hope with all my heart that the message I want to convey will reach everyone who will read these pages.

I consider myself entitled to write about the abuses and injustices I have experienced and to show how the Romanian State authorities violated my legal and constitutional rights. I found

myself inadvertently, without being fully aware of what was going on, in a fabricated scenario that never happened, based on which an innocent man was sentenced to years of imprisonment. I can no longer live without unmasking this lie! Who else, if not me, will tell my story? No one knows what happened to me better than I do, except God.

I write this testimony in the hope that I will be heard. That truth will come to light. That is why, here and now, I open my soul, in all sincerity, telling my life story with the situations and events I have been through. The following pages show how my simple and sometimes happy adolescent life turned into an endless nightmare and how I unwillingly became part of a clever and complex ensemble staged by the authorities to put Gregorian Bivolaru in prison unjustly, at any cost.

I have endured almost two decades of struggles, suffering, and injustice. Over the years, the unjust and deeply traumatising situation that the Romanian State authorities forced me to undergo has often made me ask myself: "*Why*?"

I mobilised myself and started searching for answers to these questions. In order to find clarifying information, I searched and researched many websites connected to this subject. I read some books and articles on the subject of abuse, thus hoping to better understand what had happened to me. I discovered several similar situations to the one I am facing. I went and had conversations on these topics, which preoccupied me with different people I considered suitable in this respect. Thus, step by step, to my joy, I discovered and found the most complex work on this subject, which answered many of my questions. It is the book by Gabriel Andreescu - "*Misa. The radiography of a repression*". In this book, I truly found answers to almost all the questions I've had for a long time. I was profoundly touched that in his book I found much more than I could have imagined existed about the abuses that I and other human beings have suffered due to the infamous actions of Romanian authorities. Gabriel Andreescu offers some extraordinarily clear, common-sense explanations in this book, which he reached after studying and researching the MISA case in detail for 20 years. This book is of immense help to me in my search for justice and has made me understand much more clearly what happened to me. I

dare to hope that Gabriel Andreescu's analysis will have profound echoes in our contemporary history. Gabriel Andreescu is one of the few human beings who were genuinely interested in finding out what the truth was and whom I thus perceived as sympathetic to my cause. His book instilled in me the courage to write these pages, which come, in a certain way, as a modest complement to his research.

I dare to hope that perhaps among the readers of this book there will be someone with the judicial and legal power and authority to take my case into consideration and thus bring justice to light. Let legal proceedings be launched against all those who have committed these serious abuses against me. I hope this will happen, although I strongly fear that, in this lifetime, justice will never be served for me and that none of those who abused me will ever be held accountable. I have seen and understood that in Romania, justice is not made according to the truth but to the will of those in power.

# GLOSSARY


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# I. THE SUDDEN SHOCK OF TERROR

"*The one means that wins the easiest victory over reason (fair justice) is terror and force.*" - Adolf Hitler

## 18 March 2004

"*Not explanations given to the facts, but the facts themselves are the truth.*" - Mihail Eminescu

### *An inhumane, brutal search*

I woke up to some very loud banging as if the house was collapsing on top of me. I looked out the window and saw masked individuals with some kind of black stockings on their heads scaling the courtyard fences and violently breaking the windows on the ground floor of the house. Others were hitting the entrance door with a big object. I could feel my pulse booming in my ears. My heart was beating so hard. I had never experienced such an intense state of fear. I thought I was going to die. I ran as fast as I could to my friend Mirona's room, and I shouted as loud as I could:

- Mirona, Mirona, wake up, they have come to kill us!

It was around 8 o'clock in the morning. It was like I was in a terrible nightmare. I was terribly scared. I wanted to hide in the closet. Then, I thought of jumping out the window; we were on the upper floor. We didn't have time to do anything. The masked men, whom I initially thought were burglars, forcefully entered Mirona's room. Some of them had some kind of uniform. It wasn't until sometime later that I understood they were gendarmes. They were waving guns at us and shouting brutally:

– Get down, get down! Lay down, lay down! Don't move! If you move, we will shoot you!

I was close to the window, and again, I wanted to jump outside. Then, Mirona let out a scream, and a gendarme rushed towards me.

– Let her jump if this is what she wants! I heard another masked man say who had just burst into the room.

That gendarme snatched me away from the window and slammed me into the closet. Approximately 20-30 gendarmes entered the room, all wearing black balaclavas on their heads. They burst over the fence, through the courtyard, and through windows. They entered the house

both through the windows and through the entrance door, which they broke. They had the whole house surrounded. Five of them were yelling at us at the same time, telling us not to move. Their guns were pointed at us. I fell to my knees. I could not understand what was going on. Although I could hear what was being shouted at us, I could not react. I froze. It was like I was completely paralysed. I looked at them without understanding anything. I heard the brutal commands, but I could not understand them. I was completely terrified. One of the gendarmes rushed at me very violently, pulled me away and slammed me face down on the ground. He kicked me very hard from the side with his boot on my right breast. I started screaming in pain, and then he pulled my hair and ordered me to shut up. I was almost out of breath. My mouth felt tight. They forced me to the ground. I held my hands to my chest because the breast, which was kicked with so much cruelty, was hurting so badly. I closed my eyes, childishly hoping that maybe that terrible nightmare would end. I could not breathe due to the terror. In those moments, I thought they were going to shoot us, and I was going to die. For several hours, they would not let me get up off the floor, not even for a moment. If I moved, they screamed at me. Some masked men kept their guns pointed at us. During all this time we were filmed. We were not allowed to get dressed. I was only wearing the clothes I had been sleeping in. I was only wearing a T-shirt and knickers.

Mirona was wearing only knickers, and her breasts were uncovered. We both stayed like this for a long time, lying on the floor, naked, face down, with a gun pointing at us while we were filmed. At one point, a gendarme put his boot on Mirona's head and pressed hard with the sole of the boot. There were about five gendarmes guarding us at that time. At one point, a policeman supported his gun on my head. I think he was also tired. It crossed my mind then that maybe the gun would go off, that anything could happen, and I thought that maybe, in this way, everything would come to an end.

They beat our dog, who was barking terribly and finally hit him so hard that the poor dog fainted. I didn't even dare ask for a handkerchief to wipe my face. I asked for water, and one of the men, who I later found out was a prosecutor, asked me if the urine I drank that morning was not enough. But he did not say the word urine, but the very ugly word used by thugs... I then asked them to let me call my mother, but they pretended not to hear me.

They told us not to oppose them because they had a warrant. I could not understand a word they were saying. My friend asked them to show us their IDs. One of the women waved a sheet of paper in front of our eyes.

The thunder of the gendarme's boots walking around the house terrorised me. They opened the closets noisily, and every time, I flinched because I had the sensation that something could fall on me and crush me at any moment. I did not even realise anymore how much time had passed. We were kept lying on the floor for several hours while some of the gendarmes who were not guarding us packed everything valuable in the house into cardboard boxes. At one point, I heard one of the gendarmes pouring water into a glass, and I wanted to ask him to give me a sip, but I could not say a word. I just couldn't. I felt I was about to faint. I was very thirsty and dizzy. My whole body was hurting. From my room, the ringing of the mobile phone could be heard several times. One of the gendarmes came over with the phone in his hand and, reading from the screen, commented sarcastically:

– My love! Ha ha ha! Whose love is this? Whose mobile phone is this?

– I turned to the side slightly, looking up towards him. It's mine! I replied, looking at him worriedly, and I stretched out my hand, hoping he would give it to me. My beloved Remus had called me.

Laughing sardonically, he dismantled it in an instance and, looking at me fiercely, threw it at me:

– Enough about love! Face to the floor!

And turning towards another gendarme who was watching the whole scene, he said:

– What a mess… Look at them!

Then, a state of panic set in. I had no way of telling my beloved Remus about the anguish and terror I was going through. I felt like I was suffocating. I was completely helpless. I felt sick, and I wanted to throw up. My whole body was stiff. I managed to say that I felt sick and needed to go to the bathroom. I was pulled up from the ground by two gendarmes and taken to the bathroom. In the hallway, I saw two other gendarmes rummaging through the fridge, and I overheard them encouraging each other to taste the food that was there, saying:

– Have some of this, try it. It is good, it is really very good.

One of the two gendarmes who were taking me to the bathroom called two women who also had black balaclavas over their faces. They went into the bathroom with me and closed the door. I leaned over the toilet, and I started to vomit. During this time, the locket around my neck fell into the toilet. One of the two women watching me in the bathroom from a distance of 30-45 cm simply pushed me to the side, leaned over the toilet and reached into the toilet, thinking that I want to flush or hide something. When she saw it was the locket, after a short discussion with the other woman, she washed it and put it in her pocket. She said:

– Is it made of gold? Don't worry, we will take care of it! That gold jewellery was a gift from my beloved Remus. The locket was gone. I've never seen it since then.

The gendarmes were also on the upper floor where both of us were, and on the ground floor, where another person lived, who was the owner of the house. They searched the entire house and tore down closet after closet, with all the things inside, throwing everything on the ground and then trampling over them with their feet. I saw them climbing on the office table with their boots and the kitchen furniture. They simply destroyed everything they found. At one point, I heard some gendarmes asking the others:

– Which one is the minor? This one or the other?

Then, some of them opened the fridge door again, which was in the hallway. At one point, a fat gendarme exclaimed while eating our food:

– Boy, if I was to build a house, I would make it like this one!

Another, gulping down the juice on the shelf, kept him company, laughing out loud. They were like a couple of escaped lunatics. They ate all the food in the fridge and what they found in the closets and threw the leftovers around everywhere. They took with them almost everything we had in the house.

I found out later on, after the house search, that the legal procedure requires that everything which is taken away has to be presented for identification and signed for so that it will not be changed afterwards, meaning it needs to be registered. Moreover, according to the search warrant, they were only supposed to take computers, hard disks, and CDs. Therefore, the things they took had nothing to do with the provisions of the search warrant.

Those goods were, in fact, stolen from us. We never saw them again.

A female prosecutor ordered the gendarmes to load everything they could take onto a huge, dark-coloured army truck parked in front of the entrance gate. They took away our vacuum cleaner, books from our library, the stereo, TV, jewellery, the money they found among our things, bathrobes, perfumes, hairdryer, teas, medicinal plants, medicine, my school notebooks and books, pictures, personal diaries, etc. The name of this female prosecutor is Nica Andreea. The judge who gave the green light for that house search is Lia Savonea. But I found out about all this later.

At the time, I was just terrified and did not understand anything that was happening to me. All the noises that I heard in the house terrified me.

After I was taken to the bathroom, they forced me to lay back down on the floor. I started to shake. Then, Mirona wanted to come to me to calm me down, but the gendarmes would not let her move from her place. Then, they forbade her to look at me. She wanted to talk to them, to convince them that it was a mistake. They told her that if she did not shut up, they would shoot her in the head. Mirona wanted to say something again. In that moment, a gendarme stamped on the floor so violently that, for a few moments, I thought they had shot her. I felt my head pounding. I started to cry loudly. Mirona did not say anything anymore to the masked people. She just whispered to me to calm down:

– Everything will be alright, it will be alright...

After a while, we were separated. I was left in Mirona's room, and she was taken to my room, still guarded by the masked men pointing their guns toward us. Towards evening, two men in civilian clothes came into the house. They spoke with the female prosecutor, and I heard them asking her:

– Where is the minor? Which one is the minor? We must take her away.

The female prosecutor came to me and said:

– You will go with these gentlemen. And don't make any noise. Do you understand?

– Where will they take me? I asked her fearfully.

– You will see when you will get there, she replied insistently.

– I don't want to go anywhere! I shouted and burst into tears.

Two gendarmes grabbed me and lifted me from the floor. I had been lying face down for many hours, and my chest was hurting terribly. My arms and legs were almost completely stiff; I felt as if my temples were pulsating, and I could not stop crying. They warned me that if I dared to resist them, they would take me away by force. I didn't want to go with them. I didn't know where they would take me. I was afraid and, at first, resisted. The female prosecutor then said to me in a harsh and sharp tone:

– Hey, stop whining, give them your ID, and leave with them immediately! If you do not obey, it will be very bad for you!

Then, I got even more scared and resisted as much as I could. I was very shocked and disoriented. I felt dizzy, I was moving around the room, and I was unable to get dressed. They had kept me lying down on the floor for hours. I felt terrible. My legs were shaking. Dazed with fear, I was wondering around the room and couldn't get dressed. It was as if I did not recognise the house. I didn't know where my clothes and my purse were and where my ID card was. I was moving in slow motion. One of the gendarmes shook me and yelled at me to get dressed immediately. My whole body was trembling with fear. After I managed to get dressed, I started walking slowly. One of the civilians got angry because I was not walking as fast as he wanted me to, so he punched me in my back while I was going down the stairs, yelling at me that I am clumsy. He shouted at me while he was shoving me:

– Come on, go down faster! What do you think, clumsy girl? Are we at the boarding school?

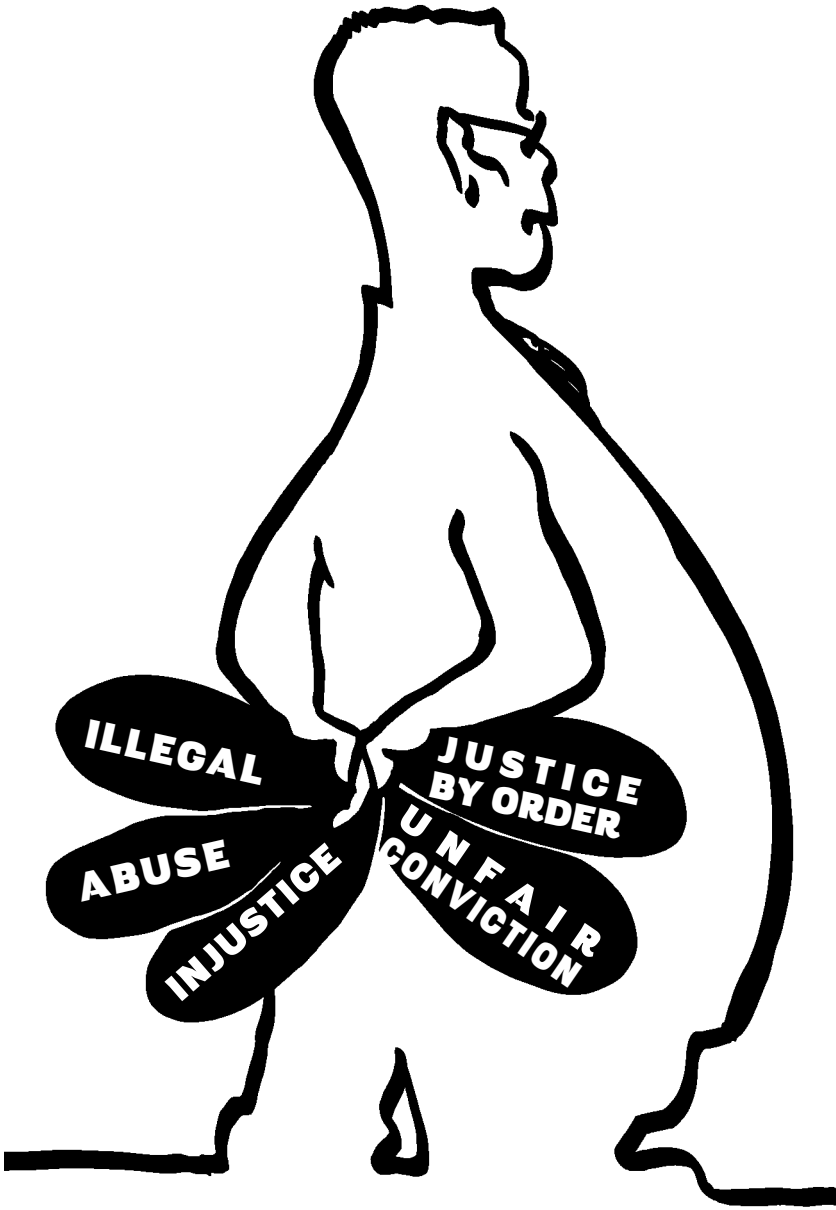
I lost my balance, and I fell. One of the gendarmes caught my arm and pushed me to walk faster.

I started to cry even louder, and I became very agitated. I was frightened because I didn't know what was going to happen to me, and seeing how violently they treated me, I shouted to Mirona:

– Help me, don't leave me, please! Don't let them take me away! Mirooonaa!

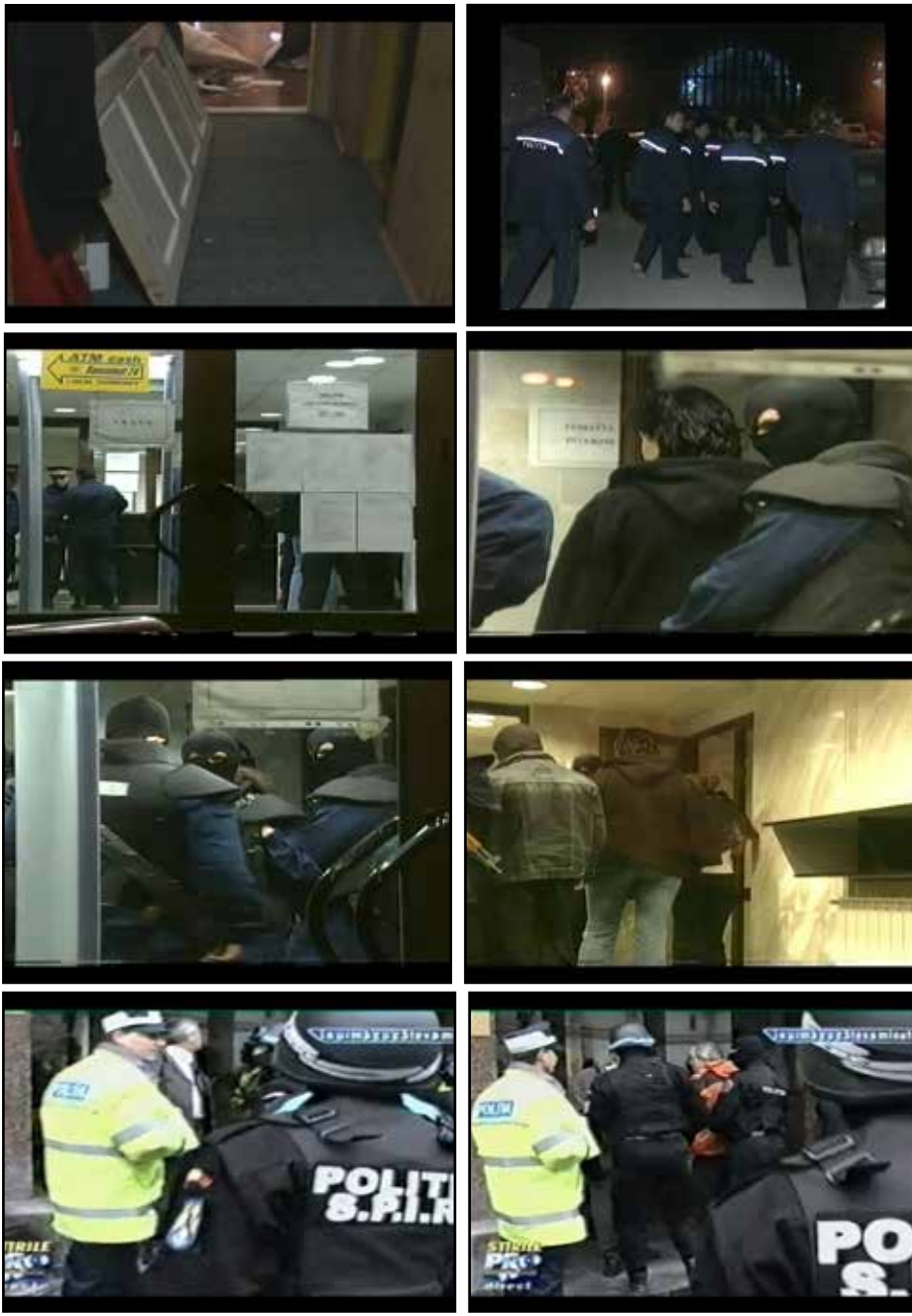
I was struggling, shouting, and yelling out loud. Those merciless civilians forcefully snatched me from the house, covered my mouth with their hands, and pushed me into a van with small windows covered with metal bars, like in the movies with dangerous criminals.

What I didn't know at the time was that this was just the beginning…


ILLEGAL
ABUSE
INJUSTICE
JUSTICE BY ORDER
UNFAIR CONVICTION

*Images of me and my friend Mirona Farcași, which were illegally filmed by the gendarmes who entered the house forcefully on Vasile Grozavu Street, where we lived, on 18th March 2004*

*Images illustrating the brutal raids by the gendarmes and policemen on the houses of yogis on 18th March 2004 (part 1)*



*Images illustrating the brutal raids by the gendarmes and policemen on the houses of yogis on 18th March 2004 (part 2)*

## *The shocking trance of terror*

All the way there, I saw nothing on the streets and heard nothing but the screeching of brakes and the muffled voices of men talking to the driver. The man who got in the back with me kept his eyes on me the whole way. They wouldn't let Mirona come with me. Terrifying scenes played out in my mind. It then occurred to me that they might take me somewhere on the outskirts of town, and they would kill me. Who would hold them accountable? Nobody knew what had happened to me from the morning until that moment. They could make up anything. I was scared to death. I cried all the way. When I got out of the car, my legs were trembling. At first, I could only take a few steps and crouched down. I was shaking. A gendarme brought me a glass of water, and I recovered a little. We climbed some stairs, walked along some long corridors, and then got in an elevator.

– Where am I? I said in a voice choked with fear.

The cold silence and sharp looks were like those of ruthless executioners. I felt just like a calf being led to the slaughterhouse. They threw me into a hallway, and one of them leaned toward me and whispered in my ear:

– If you get out of here, we will find you, we will put you in handcuffs, and you will rot in prison! Then he disappeared through a door.

I stood there motionless. I could barely breathe. After a few minutes, a man stopped in front of me. I looked up at him fearfully, and he said:

– Come on, get up, and go into the office. Move faster. What? Are you tired from sitting down?

I took a few steps down the hallway. He then stopped, opened a door "like a gentleman" and with an ironic grin said:

– To the cage with you! Don't you even think of trying to escape from here!

Then that prosecutor said that I just have to help them.

– But how can I help you? I asked in shock.

– You will see when the time comes, he replied briefly.

I went in hesitantly. There was nobody in the office. He slammed the door shut. I sat on the chair near the door and leaned my elbows on the desk, sobbing. After a few minutes, I began to calm down.

An oppressive loneliness started to take hold. I raised my head. In front of me, the clock on the wall read 5 p.m. It was only then that I realised with dread that, for more than seven hours, I had been lying on the floor with the guns pointed at my head. I went to the window. I opened it, and I breathed in the cold air from outside. It was almost dark. "*Run! As fast as you can*!" I heard a voice in my ears. I looked down. It was a long way to the ground.

I was on the third floor. I then saw some air conditioning units on different floors. "*If I jump from one to the other, I can make it all the way down*," I said to myself with a desperate conviction. Without thinking, I climbed onto the window ledge. Just below, about one metre away, was a concrete ledge. I wanted to step onto that ledge that led to the first air-conditioning unit, but I could not reach it. I got scared. I turned around and sat on one of the chairs in the office. I felt weak. Two more hours passed, during which the memories of the extreme violence I had been subjected to that morning were mixed with the sadistic terror of loneliness I had been abandoned in and the terrible threats that I felt were approaching.

The door opened suddenly. A man dressed in civilian clothes entered.

– There were others who wanted to escape, but we were kind of high up, and it was not possible for them to succeed. Come on, get out!

He took me out of the office, and I ended up back in the hallway again. We went through several doors, and then I saw a person who called me by my name and said:

– Mădălina, I am your lawyer Adina Solomon. Remus sent me to defend you. As I found out later, my beloved Remus was denied access to me, although he arrived where I lived as soon as he found out about the house search.

The lawyer had come to the Parchet (Public Prosecutor's Office) at the request of my beloved Remus, who had asked her assistance for me. The lawyer wanted to enter and assist me at that moment, but the public prosecutor's office clerks would not let her reach me and yelled at her.

_ Mădălinaaa! Don't give any statements without me! She shouted, trying to come closer to me.

Then, a policeman pushed her roughly into an elevator. One of the policemen in the hallway put a coat over my head, and I was violently

pushed into an office. Two more of the civilian torturers came in with us.

– Let me get to my client. She's a minor! She's a minor, gentlemen, and I am her defender! She was yelling loudly so that the entire building seemed to reverberate. The last desperate cry I heard from her that night was my name:

– Mădălinaaa!

The elevator door closed with a deafening thud, and the ray of hope that had miraculously appeared through the dark clouds of inquisitorial terror was extinguished.

– What is it with these lawyers! Said one of them. They get on my nerves. They won't let us do our job properly.

– You are ours now; there's nothing you can do! Said the other.

The lawyer was brutally chased away, being stopped from assisting me that day.

They left me alone again. I felt very tense. I didn't understand anything from what was happening to me. I felt in danger. I thought of Remus, like a hero who would come and get me out of there.

Then, I was moved from there and pushed into another office where there were more men. That man shoved me on a chair right in the middle of them. There were about 10 of them. I felt very embarrassed and scared. Those men were looking at me in a nasty, mocking way. One of them started shouting at me:

– If you don't write what we want, we will lock you up, and no one will be able to get you out of here!

Another one supported him:

– You will remain locked up until you come to your senses, and you will still do what we tell you to do!

Another one stood up, took a pair of handcuffs from the desk, came towards me, and, rattling them close to my ear, said in a macabre tone:

– These handcuffs, shiny as they are, what do you say, gentlemen? Turning proudly towards his "friends," then turning back to me, he continued his Machiavellian presentation: They will be your bracelets for a long time to come, if you don't sing how we tell you to.

My lips were clenched. I couldn't say anything. They told me to help them and that they wanted to lock up Gregorian Bivolaru at any cost. So I told them:

-How can I help you? What can I do?

– We know many situations where Bivolaru committed crimes, where he actually killed people, and we want to put him in jail.

I said in a muffled voice:

– But I never heard about anything like that…

– Come on, you don't know what lies underneath! Anyway, young lady, with or without your help, we want Gregorian Bivolaru in handcuffs!

I felt my body go limp, like I was almost fainting. They told me they would harm my parents, my mother and sisters, and all the beings I love and know if I did not obey them and would not give the statement. I was frightened, thinking of my mother, who was ill.

Then, one of them came up to me and put a pair of huge and rusty pliers on the table right in front of me.

– If you keep quiet, your fingers will talk. We will cut off the top of your fingers! Said the inquisitor, giving me a terrible look.

An immense panic shook me to the bones.

– Two fingers out of ten are enough for you to write, another one added sarcastically.

I felt like I did not have enough air to breathe. I felt like I was suffocating. I was breathing heavily, and with each breath, I felt like my end was coming closer.

– Who do you think you are? Some kind of Joan of Arc? Another one said, putting his gun on the table.

Seeing that their threats were not getting anywhere, they looked at each other discretely, and they all left the office.

I was exhausted. I felt like I had ended up in the dungeons of the Bastille. I had read about the terrible things done during the Inquisition in the name of faith, but I never thought that something like this would happen to me.

I don't know how much time passed until one of them entered sneakily through the door. He sat down beside me and put his arm around my shoulder. He whispered to me sweetly:

– Do you like chocolate?

In the profound state of shock I was in, I thought he had good intentions, and I answered innocently, in a low, almost hushed voice:

- Yes, I like it.

- Look at me. I promise you that, at some point, I will send someone to bring you chocolate, to calm you down.

Then, they started to come in one by one, and each one of them was asking me a question. I naively answered everything they asked me. A man asked me if I know astrology and what other hobbies I have. Another one asked me if I have knowledge about *tattvas*. Another one asked me my name. Throughout the interrogation, nobody brought me a glass of water, not to mention a bar of chocolate.

Then another man came in, grabbed me forcefully by the arm and dragged me after him into the hallway where there were some girls. Then, he asked me:

– Do you know any of these girls?

Based on the way they were dressed, I assumed they were prostitutes. I answered:

– No! I haven't seen them in my entire life.

Then, he added:

– But they also don't know you? I answered again:

– No.

– Are you sure they don't know you?

I was shocked. I answered:

– Absolutely NOT!

About an hour later, more men burst into the office. One of them threw some papers on the desk in front of me. He threw down a pen next to them. He looked at me with a morbid undertone and said:

– You are also one of those girls who sleeps with Bivolaru. Aren't you?

I was stunned. I felt like I was falling apart.

– Excuse me? I replied in shock.

– Come on, we know. We hear so many things...

I started crying my eyes out. I exclaimed through the sobs:

– It is not true!

– Forget it. What you know, we also know. There's no point in dragging it out. Write down everything you have done with him, and everything will be good for you.

It was terrible. I could not believe what I was hearing. How could a normal human being think of something like this? Why do those evil and crazed people want me to declare such a thing? I witnessed the birth of a hellish scenario in which those diabolical torturers were forcing me to write the first page.

Then, they wanted to force me by dictating to me in detail:

– Come on, write there: you went to Bivolaru at the end of a lecture in Bucharest and told him that you want to be his lover.

I was in a kind of trance of terror.

– This is not true! I said, and I opposed it. That never happened! It is not true! None of what you are saying is true! These are just lies! I am only 17! I want Remus to come! Remuuss!!!

– Come on, stop these cheap fairground hysterics and write exactly as we tell you because we already know everything! Mirona told us everything, from A to Z.

I continued to vehemently oppose giving in to those blatant lies they wanted to put on my shoulders. One of those men got up from the chair, came close to me, and said:

– I'll show you, you stubborn girl!

He grabbed me by my hair and suddenly banged my head on the desk. I was dizzy for a few moments. I was paralysed. I couldn't say anything. I looked at them all with wide, questioning eyes, and then tears came to my face. I didn't understand anything that was happening. Suddenly, the place where I had been hit started to hurt. I touched it with my hand and felt a huge bump that had just begun to grow. They said to me:

– From now on, if you don't write what we tell you to write, we'll beat the living daylights out of you, but without leaving any more marks. So nobody will know. Do you understand?

I heard some thuds from a nearby room, which startled me. I was under the impression that somebody was crying. It was not clear. It sounded like a muffled cry. I thought it was probably Mirona and that they were beating her as well, just like me, even though she had agreed to write what those diabolical prosecutors wanted. I was very scared that they would beat me really badly anyway. Everything was torture. I didn't understand why or for what reason there was so much violence, aggression and hatred directed toward me. I didn't write anything down that they wanted to dictate to me.

## *A terrible, hellish interrogation*

Then they left me alone for a while longer, but this time only for a few minutes. My head started to hurt terribly.

A man came into the office and looked at me extremely harshly; he seemed scary to me, and he had a contemptuous and malicious attitude towards me. It was the first time I had seen him.

– I'm a prosecutor, and in the next few minutes, whether you like it or not, you will have to give us a statement that I will dictate to you.

I didn't know at that time anything about the legal procedures for taking a statement from me. That is to say, I should have been informed of the case in which I am about to give my statement and in what capacity I am giving it. However, perhaps because I had seen it so many times in the movies, I said I wanted a lawyer.

He replied sardonically:

– There's no need because we can manage ourselves!

– I repeated in a choked voice:

– I want the lady lawyer I met earlier in the hall to come here.

He turned a deaf ear. I started to cry and said in a trembling voice again that I wanted a lawyer to come here. He answered me in a Machiavellian way:

- No need, young lady, what do you think a lawyer can do!?

I was terribly afraid. I asked to call my beloved Remus Lomoș and ask him to come and be with me. I even asked to call my mother to tell her what I was going through and what was happening to me at the time. I was told that it was not necessary, and that the situation was under control. That it was enough just for me to be there. That prosecutor was holding a sheet of paper in his hand, and, as I later realised, it was a kind of outline, a draft of some written elements that he wanted to include in that statement of mine. He told me as he looked at the sheet:

– Now you will write down what I tell you, without any comment. If you are one of Bivolaru's people... what can we do to you? Write down what I tell you, and it will be good for both Mirona and Bivolaru. You have to be cooperative and help me! Will you help me? Bivolaru will be in prison for a long time. No matter what you do, we will have Bivolaru in chains anyway.

– I want to go home... I answered.

When he heard this, he started yelling at me:

– Don't you understand that we want what is best for you?! I am on your side! Bivolaru is crazy! Trust me, and you will help him get better!

I didn't understand anything. I felt completely confused and scared.

In the meantime, he received some phone calls, and I deduced they were from the ones who were searching the house where they had taken me by force. I could hear how they were telling him about the items they had found in the house, and they asked him:

– Do I take her diary, do I take her school notebooks and school objects?

He shouted at them, saying:

– Why do you keep asking me? Take everything you find in her room.

I then realised that while I was forcibly detained in that office, the house search continued, and almost all of my personal belongings were confiscated. Immediately afterwards, he started to ask me question after question:

– Do you know Bivolaru? How did you know him, and since when? He didn't even let me say anything, and he continued. Have you never heard how he has sex with the women in the ashrams?

I looked at him in shock, and I answered:

– No, I have never heard something like this! I know that Mr. Bivolaru has a relationship with Mirona, and that's it.

He said:

– No, no! Wrong, wrong answer. What is this? This is not the way it goes. You don't understand anything! You don't understand, young lady!

I was looking at him with wide eyes, and I really didn't understand anything from the whole situation.

I was horrified and terrified by what I was hearing.

– Can Bivolaru influence you telepathically?

I looked at him in amazement.

– What year did you come to the yoga course?

– In 2002, I answered. I knew this precisely. But he was not satisfied with my answers and started yelling at me and looking at me like he wanted to destroy me. My heart was pounding. I was glued to the chair. I felt more and more afraid of that prosecutor. Then, I started crying and didn't want to answer any more questions. When

he saw that he couldn't get anything more out of me, he left the office and came back accompanied by a dark-haired woman with short, cropped hair and of medium height. She introduced herself:

– Raicu, Alina, psychologist officer. In a falsely sweet voice, she began to question me:

– Why are you crying? Tell me, what's bothering you? You know you can trust me completely because if I am here, no one will harm you.

I believed her. Then, crying, I told her:

– Since this morning, many evil and extremely violent people have been coming into the house where I was living, and ever since then, I have been trembling with fear. They beat me, they threatened me, and I don't understand why because I have done nothing wrong. Since they brought me here, to this place, they have been yelling at me continuously and want to force me to write some delusional lies that they will dictate.

Then, this so-called psychologist, as we will see further, took me in her arms and said:

– You are a beautiful and intelligent girl, and from now on, nobody will harm you. Trust what I'm telling you. So, the sooner you write down exactly what you are told, the sooner you will be able to go wherever you want. The psychologist Alina Raicu continued:

– Let's draw.

She also told the prosecutor:

– Let's all draw a tree. This will calm us down.

Then, I drew a yantra. The two got angry. The prosecutor, being angry with me, yelled:

– Enough! We change tactics!

The psychologist looked at him and, in a low voice, told him:

– Leave her alone, wait, be patient!

Then she showed me many coloured cards.

– Choose one of the colours.

I chose black from all the colours she showed me. The prosecutor intervened again:

– All right! Enough with the games. Let's move on to more serious business.

He started asking me questions again.

– What year did you come to the yoga course?

– In 2002, I replied.

Then, he paused for a few moments and said:

– Let's write: "I came to the yoga course in 2001".

I opposed writing this down because I very clearly knew that I came to the course in 2002. He replied vehemently:

– Write 2001 because this is better.

I did not want to.

– You know you are very bad. Why are you being mean? He asked me. This is what Bivolaru teaches you?

Then the prosecutor started yelling at me:

– If you don't write it as I tell you, you won't get out of here! I can keep you in a cell until you come to your senses and do as we say! Did you hear me? Hey, did you hear? Just write it down, and let's finish with this!

I trusted what the psychologist told me, that if she was with me, nobody would harm me. But I was completely shocked when the psychologist herself said to me scornfully:

– I see that you have forgotten what I told you earlier and that you have to write down what the prosecutor tells you. You remember, don't you?

I looked at her in shock without having any reaction, and then she slapped me, pulled my hair and yelled at me:

– Why are you such a stubborn little girl? Why don't you write down what the prosecutor tells you? Do you want to see the light of day again? Why are you doing this? This is what the yogis teach you? Did you hear me? You will not leave this place if you don't do what you are told. Do you understand?

I felt completely confused. I didn't understand why she was also being violent and harsh with me. I looked at her in amazement. I started shaking again, and the headache got worse. It had become unbearable; I hadn't eaten anything all day, and on top of that, I was in a lot of pain where my head had been banged on the desk. I was terribly afraid. Then, the prosecutor told me:

– We can catch Bivolaru with or without your "help", but it's true that, in this way, it will be much more credible. Do you understand? It doesn't make any difference to you if you write what we tell you or what you think, but it means a lot to us if you write 2001. It's much better than 2002. Plus, what I'm going to dictate to you afterwards. Be a smart girl. This is just a sheet of paper anyway. It doesn't matter to you.

I was beginning to feel worse and worse. I had a headache, and I was bleeding from the nose. I didn't have a tissue or a handkerchief with me, and I wiped my nose with the sleeve of my blouse. I could barely lift my hand to put it to my nose. My whole body felt numb. I had the feeling that everything was spinning. The prosecutor then made a phone call and asked for some pills for me. After a few minutes, the door opened, and a woman came in and unintentionally inspired a terrible fear in me. Her mouth was tight and her lips very thin, and looking at me piercingly, she asked:

– For whom? She held out her hand in which she was holding the pills.

Then, the female psychologist took the box with the pills from her hand, took out a pill, and handed it to me with an enticing gesture. Again, she said to me with a chameleon-like "gentle" voice:

– Come on, take this and drink it. You will see that you will soon feel better!

I took that pill, I swallowed it, and within a few minutes of them not asking me any more questions, I felt myself calming down in a strange way. I felt as if I had become numb and floppy. I felt my physical body very soft. I was sitting in the chair looking at that prosecutor, and I couldn't react. Suddenly, I didn't care about anything. I only wanted to get out of there and leave. I felt exhausted. And that is when he told me:

- Look, now it's very good. Now you're going to have very nice, calm, and somewhat settled writing. And from your writing, it will be clear that you didn't have any tension.

Now, the prosecutor didn't ask me anything anymore, just dictated what to write. Thus, I ended up writing without any resistance all the aberrant lies that the prosecutor dictated to me, being under the influence of that pill, on the background of terror to which I had been subjected, fatigue, and the fact that I had not eaten anything that day.

I wrote that "*I came to the course in 2001, that Bivolaru was my yoga teacher, that I went to Mr Bivolaru at the end of a lecture in Bucharest and I told him that I want to be his lover, that I had an intimate sexual relationship with Bivolaru*".

In my soul, something terrible and paradoxical happened in that moment. It was as if my hand did not belong to me anymore. It was

as if the prosecutor tied my hand, which then hopelessly wrote everything he wanted. I could barely keep my eyes open; I felt them swollen from crying and itchy, and this made me stop from time to time from that terrifying dictation. So, the whole tormenting process of drafting that completely false statement that I was giving against my will took a very long time.

When he saw that I was slowing down writing, the prosecutor again started shouting at me very harshly and aggressively. He hit the table with his fist. Then, I flinched. I got scared and out of fear... I peed on myself. I then asked the psychologist to let me go to the bathroom. She looked at me squinting and the prosecutor yelled at me:

- What! To the bathroom? We'll never get out of here! Shut up and keep writing! You'll go when you finish what you have to do! And he wouldn't let me go to the bathroom. I felt I had no strength left to endure any more blows, any more screams. I had a feeling I might die if anyone would hit me or yell at me again. The prosecutor nervously kept looking at the clock and told me that if I didn't sign now, he would be replaced by someone much more severe than him who would start the whole interrogation all over again. Unless I want to end it now. He told me:

– That means you also have to sign that paper at the bottom of the page.

Then they asked me to sing. I didn't understand why back then. I sang. I signed that false statement with an almost unconscious gesture. The prosecutor snatched it out of my hand, grabbed the psychologist by the shoulders, and, walking towards the door, whispered to her conspiratorially with a sinister grin:

- So, now that we have gold in our hands, the fun will begin! He walked out of the office with her, laughing sinisterly.

This is how I ended up giving a false statement by dictation against Gregorian Bivolaru, which I made against my will. Only now, finally, after so many years, do I feel I have the courage to speak about everything that happened to me then because until now, I was terrified that they would take revenge or possibly even put me in prison. After this hellish interrogation that lasted many hours, a gentleman dressed in civilian clothes came into the office and told me I could go home. I could hardly get out of my chair, and while crawling to the door, I saw a clock. It was 2 a.m.

I felt very strange. I was shaking, and my breathing was ragged. I left the public prosecutor's office in a terrible state. I was sweating profusely while I was being held there. My clothes were wet. I could feel myself getting colder and colder. I could barely walk. Everything was spinning around me. The prosecutors took me home in a car. I didn't have any keys or anything, so I rang the doorbell. Remus, who was waiting for me, opened the door. He looked at me in shock. He immediately jumped to help me, being extremely worried about my condition. Then, he told me that I was pale, my face swollen from crying and disfigured by everything that happened to me. He didn't know what to give me and what to do to help me recover as soon as possible.

Along with Remus, the lawyer Adina Solomon was waiting for me, the same person who called me in the hallway of the public prosecutor's office. I asked Remus to help me wash. I felt very strange. I was moving with difficulty, and I was barely breathing. He washed me just like a little baby. Suddenly, I felt a terrible and acute sensation of hunger. I went into the kitchen. Remus followed me. I opened the fridge and grabbed what I could get my hands on. I sat down and began to gulp down a piece of cheese. Remus took some other dishes out of the fridge. That food seemed like the best thing ever. We ate in silence. Sometimes, tears of gratitude to God came to my eyes for being out of that terrible nightmare and being able to eat.

Remus and the lawyer waited for me to calm down. Then, they started to ask me what happened. After I somehow came to my senses, I started to have flashes, glimpses of what had happened. I shared them with Remus and the lawyer, and they listened to me very attentively, asking me from time to time about some details. After an hour, I remembered almost everything: the cruel violence of the gendarmes, the terrible torments of the seizure, and the terrible terror of the interrogation.

– I know what you have been through, my dear. The lawyer also told me what she went through there and how they were rough with her.

– Yes, yes, they pushed her into the elevator, and I couldn't talk to her.

– You know that afterwards, they threw me out of the building, Adina added.

I felt the sky falling in on me. Suddenly, I remembered the statement that I gave.

– Remus! I exclaimed desperately.

– What is it, my love?

– What if I have ruined a man? And I burst into tears.

– Mădălina, please calm down. What happened?

– They tortured me, they beat me, and then they forced me to write only lies. Remus didn't know what to do to calm me down. After a few minutes, I came back to my senses and he said:

– It is very strange, terrifying, and terrible what the prosecutors did to you.

The lawyer, who was listening to everything with great attention, told us that the situation was extremely serious. I asked her if there was something that could be done to fix it.

– First thing tomorrow morning, we are going immediately to the public prosecutor's office, she answered. You have to give another statement. What did you write in the statement? She asked me directly.

I told her briefly what they forced me to write there.

– In what quality did they take your statement?

– What do you mean? I asked her, frightened.

– As an injured party or witness?

– I don't know. No one told me anything of the kind. Then, I told her about the terrible conditions of the interrogation.

– As I was telling her the story, her face was visibly changing. She exclaimed:

– Only during the Communist era did they act like criminals when they interrogated people with physical and psychological threats, severe beatings, and finally, pills. The whole shebang, no more, no less!

Worried about the content of the statement taken forcefully from me at the prosecutor's office, she told me:

– We will make another statement telling the truth. And we will retract the previous false one.

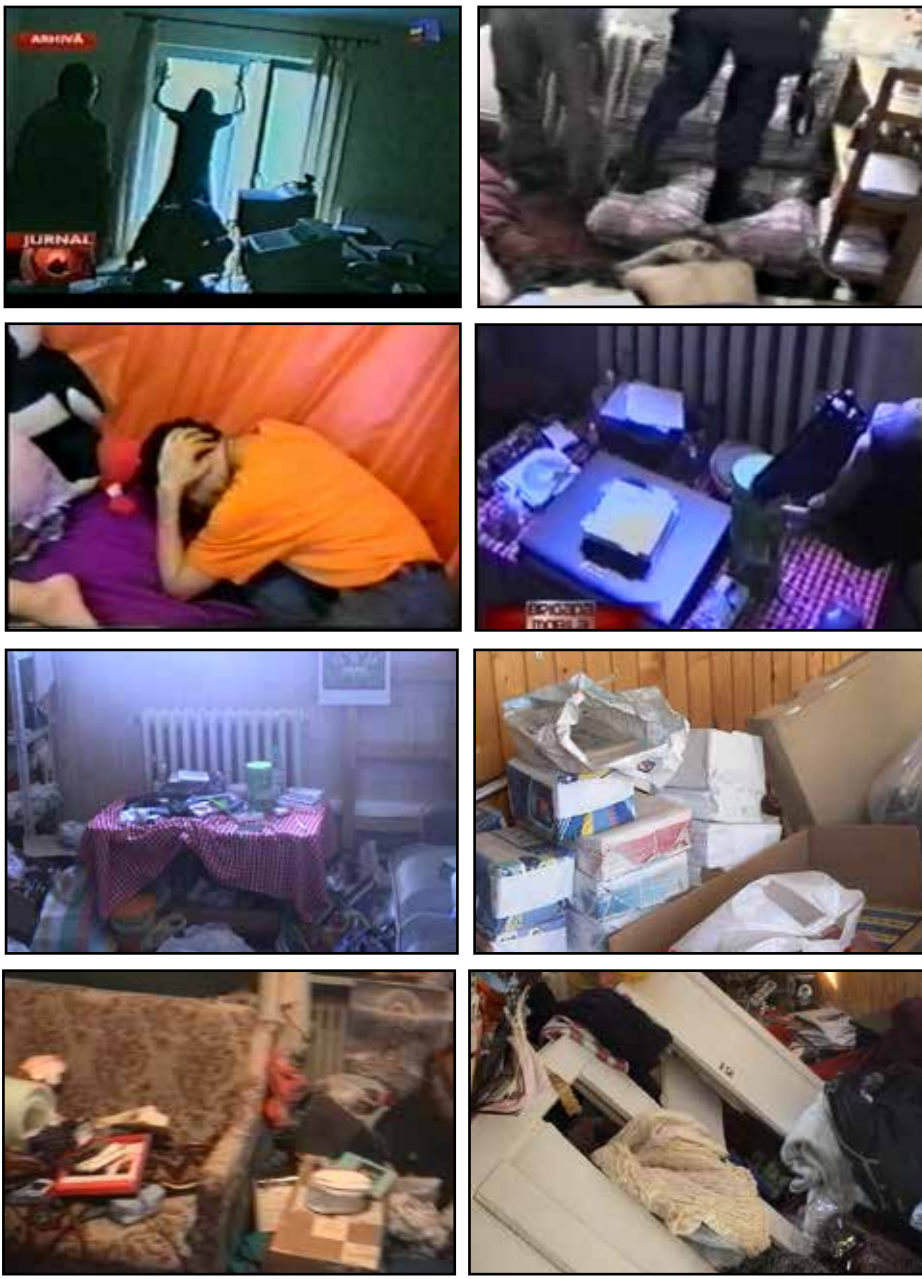
I didn't understand clearly what we were supposed to do, but a tiny ray of hope appeared in my soul.

# THE FURIOUS AND DIRTY MEDIA CAMPAIGN AGAINST M.I.S.A. CONTINUES UNABATED

## BUT WE ARE FULLY AWARE OF THE VILE AND CUNNING GOALS OF THOSE WHO WANT TO SCARE ROMANIANS SO THEY DO NOT DISCOVER

# YOGA

## BE WISE AND CHOOSE FREELY!




*Many physical and moral damages were generated by the abusive raids of the police and gendarmerie on 18th March, 2004, in the houses of yogis (part 1)*

*Many physical and moral damages were generated by the abusive raids of the police and gendarmerie on 18th March, 2004, in the houses of yogis (part 2)*

*Many physical and moral damages were generated by the abusive raids of the police and gendarmerie on 18th March, 2004, in the houses of yogis (part 3)*

*Many physical and moral damages were generated by the abusive raids of the police and gendarmerie on 18th March, 2004, in the houses of yogis (part 4)*

## 19 March 2004

> *"The truth is incontrovertible. Malice may attack it, ignorance may deride it, but in the end, there it is.".* - Winston Churchill

I fell asleep for a few hours in the protective arms of my beloved Remus. When I opened my eyes, he watched me attentively and full of compassion.

– What has happened? I asked him.

– You were tossing and turning in your sleep the whole time, my love, he replied. Sometimes, you even shouted some words in a very frightened voice.

– What was I saying?

– Leave me alone! And this happened several times during the night. Then, you would struggle as if you wanted to escape from someone. I caressed you for a long time, and then you calmed down for a while.

– I don't remember anything about my dreams, I replied.

– Then you were sobbing, and through your sobs, I could hardly understand that you were crying out for help: "*Leave me alone!*", "*Stop torturing me*", "*I can't take it any longer!*", "*I can't bear it anymore*", "*Please, I implore you!*". Sometimes, you were screaming and clutching the bed sheet to your chest.

I was happy to be in his welcoming arms. I stayed like this for a few minutes while he was caressing and whispering sweet words to me.

Suddenly, I remembered we had agreed to go to the public prosecutor's office. This thought made me tremble. Cold shivers ran down my spine. I could not say a word anymore. I got dressed. Remus took his car keys, put my coat on my shoulders, opened the door, and I left after him. We rushed to the prosecutor's office. He even ran the red light a few times. Thus, we got there very quickly. It was around 8.30. I was very scared at the thought of revisiting the place where I had gone through a dramatic, terrible situation, where I was beaten, threatened, and sedated just a few hours ago, and I was shaking with fear because I didn't know what to expect if I went there. I was thinking, being afraid that once there, the prosecutors would grab me and torture me again. A few minutes after our

arrival, a taxi pulled into the parking lot in front of the prosecutor's office, from which Adina Solomon, the lawyer I had spoken to the day before, got out in a hurry. Together, we lodged a complaint against all the abuses committed against me by the prosecutors on 18 March 2004. I also withdrew the forcibly extracted statement I had given under duress. This new statement of mine was registered at the public prosecutor's office of the Bucharest Court of Appeal under the number 455/19.03.2004, but it was never attached by the prosecutors to the criminal investigation file nr. 720/P/2003 nor subsequently, to the court file.

In that statement of 19 March 2004, I expressly requested that no use be made of the statement given the night before, i.e. the abusively extracted and entirely false statement of 18 March 2004. At the same time, I recounted the abuses committed against me by the prosecutors during that night. I told the truth about the appalling way in which the statement was extracted from me, a statement which was, in fact, entirely false. I mentioned that I was withdrawing my statement because everything written there had no connection to my life, and I recounted the terrible conditions I had to endure, being forced by the investigating bodies, being threatened and physically and psychologically abused in order to write what the prosecutor was dictating me. I mentioned that I was interrogated for seven hours without being given the opportunity to contact a lawyer or my parents, especially as it was known that I was a minor. In that statement, I asked that the statement I gave the day before, on 18 March 2004, should not be used.

After I finished drafting the new statement and signed it, I went with my lawyer to the prosecutor's registrar's office to submit it. I was in exactly the same building as during the nightmarish interrogation, where I had been forcibly taken the day before by some individuals who had never identified themselves. I was very afraid that something terrible would happen to me again. As soon as we entered to submit the new statement, I noticed that the prosecutor's office clerks displayed a bizarre attitude towards me and my lawyer. They sent us from one place to another, from Ana to Caiafa, without accepting our request. Then, to my dismay, but especially to the dismay of my lawyer, they rejected my statement and didn't want to register it. They sent us from one office to another, absurdly claiming

that they had no stamps. Paradoxically, in the end, the prosecutor's office clerks even closed the registrar's office to get us to leave that place. My fearless lawyer I was with at the time told me:

- Something is not right here... I have never had anything like this happen to me before.

Realising that the blatant abuses that started the day before were continuing, she was very, very insistent, and seeing that nothing was being resolved, she started shouting in the halls of the prosecutor's office in an alarmed voice:

– Shame on you! After having abused the minor, you now hide just like rats, and you make a mockery of her and of Romanian law! This is an unspeakable injustice and a huge abuse!

Then the lawyer started to pound the registrar's office door, demanding them to open it. At the justified insistence of Adina Solomon, the registrar's door swung open with a soft creak.

– What happened? A visibly annoyed clerk asked.

– You schemers! Adina Solomon replied, looking over her shoulder towards the two female clerks in the back who were whispering. How dare you close the registrar's office during working hours?

– Please excuse us, we had some internal problems. How can we help you?

In the back, one of them picked up the phone and dialled a short number.

– We have a statement to register, the lawyer replied, starting to calm down.

With a false sweetness, the woman replied:

- Sure, no problem, we are totally at your service.

The woman in the back put the phone receiver back in its cradle and then looked at her colleague slyly.

The lawyer gave the statement to the employee in charge of registering papers and documents. She finally recorded the statement, giving it the receipt number 445/2004 written in the top right-hand corner of the page. Immediately, a man who seemed very sure of himself came through the door. The women in the registrar's office suddenly became very respectful towards him. He saw us and introduced himself:

– I am the Prosecutor General of the Public Prosecutor's Office, George Bălan. What do we have here today?

He then took the statement which I just drafted and looked briefly at it.

– Yes, I know what this is about. It is a recent case. We will take it from here. You can go now, he told us.

I left the office, and the lawyer followed me. I turned my head to ask her if what was happening was legal, and through the slightly open door, I saw George Bălan waving my statement in front of the office employees. It seemed dubious to me. It turned out to be like this, not by mistake. That original, correct and authentic statement, which I gave in the presence of the lawyer and according to the laws in force, never made it to the file. I don't know what George Bălan did with it, but it was not attached to the file as would have been natural. He was probably called as soon as we entered the registrar's office. Why else would he be in the registrar's office exactly when I wanted to submit the statement which was supposed to ruin their plans? I found out from my lawyer that in legal circles, it is very rare for a Prosecutor General to enter the registrar's office.

I watched in astonishment as the mystification of the file was happening right before my astonished eyes. Despite proper representation being made, my statement was never attached to the file. There is, however, a document mentioning that this statement was rejected. Consequently, this statement, despite its disappearance, existed! It is very bizarre how this statement disappeared from an official context. Paradoxically, it was registered at the Public Prosecutor's Office of the Bucharest Court of Appeal, under nr. 455/19.03.2004, but it was never attached by the prosecutors to the criminal investigation file nr. 720/P/2003 nor subsequently, to the court file.

George Bălan, the Prosecutor General of the Public Prosecutor's Office, didn't want to take into consideration this complaint and rejected it as unfounded. Thus, the only evidence of its existence is the subsequent resolution of prosecutor George Bălan, rejecting the complaint as unfounded through resolution nr. 977/VIII-1/2004 from 29.03.2004. We were not immediately informed of this resolution rejecting this complaint. It was only brought to my attention when the case reached the court, and I was able to review the resolution in question through my lawyer.

I later found out that the prosecutor, George Bălan, had rejected the

complaint in question on the grounds that I had been “interviewed” - meaning tortured - on the fateful evening of 18 March 2004 as a witness and not as an injured party. How can you reject a statement document that doesn’t exist? It is a legal paradox, a diabolical action made by this prosecutor in that situation.

They treated me like a dangerous criminal, they terrorised me into giving a statement as a witness, and then they attributed to me the role of the injured party, based on that statement dictated by them, although I never submitted any complaint against Gregorian Bivolaru or a MISA member. The prosecutors took advantage of all possible means to incriminate Gregorian Bivolaru, and they used me, an aspect which I have maintained throughout the entire trial for more than ten years. Despite the fact that I never submitted any complaint against Gregorian Bivolaru, throughout the entire trial which followed against him, I was implicated as an injured party.

In any democratic country, this complaint of mine, submitted on 19 March 2004, should have been taken into consideration. It was both a document attesting to certain abuses committed against me by the investigators and a proof that what I had been forced to sign the day before was completely untrue. The prosecutors speculated that at that time, I was still a minor because their intention was to make the offence they aimed to charge Gregorian Bivolaru unjustly with, to be as serious as possible, to thus sentence him to as many years in prison as possible. Only in time did I begin to understand the magnitude of the set-up that the Romanian authorities were planning when they cunningly used me as an instrument to incriminate Gregorian Bivolaru.

This is the bizarre situation surrounding the statement in which I told the truth about what had happened on 18 March 2004 and which I willingly submitted to the prosecutor's office the next day. In the years that followed, thinking again and again about that night of 18 March, I realised that all those who aggressed me in the house where I lived, all of those who abusively interrogated me, were nothing more than some hideous puppets of a diabolical judicial show, which aimed at finding at any cost a way to make Gregorian Bivolaru look guilty. I still wonder: Who pulls the strings of this infernal machine?

From 2004 until now, I have constantly made numerous efforts to say what happened then and to retract that false statement,

which was extracted from me using immense pressure. I pursued many legal actions and filed countless complaints, but the Romanian State authorities never replied to any of them. If I was a witness, as the prosecutor George Bălan stated, why was such terrible and traumatising pressure put upon me to write a statement they dictated? Why was I not allowed to say everything I know and have seen with my own eyes about Gregorian Bivolaru?

I witnessed the fabrication of the file against Gregorian Bivolaru. I am an injured party only with regard to the abuses and deprivation of human rights that I suffered because of the Romanian State authorities.

## 1 April 2004

"*Where force reigns, there is no justice.*" - Macedonian proverb

### *A gynaecological examination aimed at being carried out by force*

Almost two weeks had passed since the terrible abuses I had been subjected to by the prosecutors, gendarmes, and police officers, during the house search and the interrogation at the prosecutor's office. The terror though, followed me moment by moment. Anything I ate made me sick. I suffered from panic attacks at the sound of any type of siren. I would flinch nervously at any sudden or unexpected noise.

Nevertheless, despite all of this, I decided to go again to the Public Prosecutor's Office. The reason why I went was the way the prosecutors had twisted my situation to serve their obvious goal of putting Gregorian Bivolaru in jail. My lawyer explained to me that, although I had appeared as a witness in the Public Prosecutor's Office case, I had been made an injured party against my will. I was shocked. It was only on this day I found out that the prosecutor George Bălan had rejected the complaint I had made on 19 March 2004 as being unfounded, on the grounds that I was a witness and not an injured party. On 1 April 2004, around 9.00 am I went again, on my own initiative, to give a new statement to the investigative prosecutors, this time being assisted by the lawyer Adina Solomon.

I got out of the car that took me there and I walked together with my beloved Remus and my lawyer towards the entrance of the Public Prosecutor's Office building. In front of the building, there was a protest by some yogis and MISA supporters. A few hundred people were shouting: "*Justice!*" and " *Respect the law!*". They carried large signs saying "*Stop the abuses!*".

Several TV news stations were also present at the demonstration. Then, my lawyer introduced me to the reporters telling them:

– This is Mădălina Dumitru, the so-called victim in the lawsuit fabricated by the authorities against Gregorian Bivolaru. They rushed over and almost jumped on me. I got scared and I took a few steps back. They held out their microphones shouting all sorts of questions and all talking at the same time.

– I didn't have any relationship with Gregorian Bivolaru and the whole thing was a set-up by the Romanian authorities, I answered them all at once.

– Suddenly, I saw two journalists being pushed aside, and two policemen showed up, who simply pulled me away while I was talking to the press, without asking me anything and, to the shouts of my lawyer who didn't understand what was going on, I was dragged into the building of the Public Prosecutor's Office. The lawyer came after us shouting at the policemen that this is a breach of freedom. On the ground floor, I saw two men dressed in civilian clothes coming down the stairs, they introduced themselves as prosecutors. Their names, which I found out later, were Viorel Cerbu and Anton Chaborschi, both prosecutors at the Prosecutor's Office at the Bucharest Court of Appeal. I was terrified that something similar to the nightmare which I had gone through two weeks ago would happen again. One of the two prosecutors told me:

– You are subject to an arrest warrant.

I didn't understand what that meant. But the lawyer who was next to me said:

– How is it possible to issue an arrest warrant on the spot, taking into consideration that we came here on our own accord?

We were both pushed into an office because they wanted to hide us from the press and TV stations, so they would not find out what they wanted to do to us. Although I had come there voluntarily to give a statement, Prosecutor Chaborschi, and Prosecutor Cerbu refused to take my statement. I felt almost paralysed. I felt like I was about to die of fear. I then leaned on my lawyer Adina Solomon, who outraged, asked Prosecutor Chaborschi:

– On what basis was the arrest warrant in question issued?

Then, the other prosecutor interrupted her in a sharp tone telling her:

– We have drawn up a warrant through which we have ordered for the minor Mădălina Dumitru to undergo a genital and anal medical examination to be carried and we have ordered for her to be sent immediately to IML (the Institute of Forensic Medicine). She will therefore go with us to the Institute of Forensic Medicine to undergo a genital and anal forensic-medical examination.

I didn't understand what they wanted from me, and I didn't understand what they were talking about. I vaguely understood that again something terrible and horrible was waiting for me. I felt like fainting. At that moment, we were escorted out of the office and kept in the hallway by the policemen from the prosecutor's office, unable to leave the building. The acute state of bitter and prolonged torment I had already been experiencing for two weeks, was now terribly amplified. I didn't understand why, although I had come voluntarily to give a statement in which I wanted to repeat what I also said on 19 March, I was again seized by the authorities against my will. Those who were treating me badly were exactly those who were supposed to protect me. It was already too much for me. I got dizzy and sank into a chair sobbing. I screamed at them:

– Please have mercy on me. I am just an innocent child. I have never harmed anyone. I want to go home. The lawyer then took out a handkerchief and wiped off my tears and turning towards the prosecutors told them:

– Look how you terrorise her! While teenagers her age are walking in parks and going to school, you have seized a minor and behave so mercilessly. She hasn't done anything to you. What do you have against Mădălina? Don't you have children?

The prosecutors looked at us mercilessly. They had sombre faces, which didn't bode well.

– When was the arrest warrant issued? The lawyer asked them then.

Smiling sarcastically, Prosecutor Chaborschi looked complicity at Prosecutor Cerbu and replied to the lawyer:

– We issued it right now. Is there a problem?

I was shocked. I felt as if everything around me became foggy. I couldn't distinguish people, I didn't know where I was and why I felt as if I was about to die and the feeling that nobody would know or care what would happen to me was even worse.

I foggily heard them talking to the lawyer, I barely distinguished their voices:

– What's the big deal about a simple genital and anal investigation? It's nothing…

But these prosecutors never once asked themselves if I had ever visited a gynaecologist before and if I knew what it entailed. I had

never been to this kind of examination before and I didn't know anything about this type of investigation. These two heartless prosecutors, Viorel Cerbu and Anton Chaborschi, ordered me to undergo an unwilling and forceful genital and anal forensic-medical examination at the IML (Institute of Forensic Medicine). I was very frightened and I didn't know how to escape from that place. I then mumbled to the lawyer:

– I don't want this! What do they want to do to me?

From when we arrived at the Public Prosecutor's Office until this moment, approximately four and a half hours had passed. Three policemen grabbed us and took us outside where a police van with the engine running was parked, together with more vehicles with flashing lights on. Other policemen brutally pushed us inside the van. When they started the deafening sirens, my heart almost leapt out of my chest. A gendarme slammed the door shut, violently. The police cars, along with the van we were in, sped off. All the way there I was in a state of terrible terror. I felt as I if was being taken to be executed. All the way we were escorted by police and special forces cars, as I had only seen in the movies, for heads of state. Amidst the fainting spells and the panic attacks I had all the way, I could hear the lawyer's plea:

– Please… she is just a child… traumatised…don't torment her anymore… let her go home…look at her…the state you've put her in…

I also noticed that we had been permanently escorted by police cars. It was like we were in a chase scene from a movie, watching as all the cars on the road stopped or pulled to the side. Again, it was like I became just like a dangerous criminal. "*What are they planning to do this time*?" I asked myself desperately.

It was already past lunchtime. The car stopped. I was terribly afraid. Later, I found out that the place where I was forcibly transported was the "Mina Minovici" Institute of Forensic Medicine in Bucharest. We were escorted out of the van and the policemen pushed us towards the Institute's entrance. The lawyer protested vehemently. Prosecutor Chaborschi who was walking in front of us, cut her short:

– Madam lawyer, no comments, please!

Then, they forced us inside the Institute of Forensic Medicine. After we walked through the door, Police Inspector Ilieş Dumitru told the policemen and gendarmes who were on the steps outside:

– Lock everything down! Not even a fly should get inside!

Then the policemen and gendarmes immediately blocked the hospital doors. Although I didn't immediately understand at the time, it was very strange that there, in that institute, which I realised was very big, was absolutely nobody there at that time, except a nurse, the doctor, the two prosecutors, some policemen, my lawyer and me. Why do I say this? Because later, when I saw also other images from IML on TV, there was always a crowd, because the institution in question is usually very busy, i.e. full of people. The entrance doors were almost always open, there were people in the hallways, outside, and in the medical offices, and also many doctors and nurses, like in any normal hospital. In contrast, when the policemen pushed us into the building, not a single soul was there. I was terribly scared because of the ice-cold atmosphere there. From the entrance, on the left side, there was a medical office with the door wide open, where a nurse was waiting for us. Two policemen, together with Prosecutor Chaborschi, shoved us inside and then entered immediately after us. They closed and locked the door afterwards with a key. What was happening was very strange. I was literally shocked. Then the nurse told me to get ready for the medical examination. I was very scared and I said that I didn't want to do something like this. Seeing my refusal, the nurse called for the doctor, who I saw was of a different nationality. I think he was an Arab, but later on, I found out his name was Dermengiu. The doctor came and while he was approaching me, he skilfully pulled his surgical gloves over his hands. Then he approached me, saying:

– Come on, undress, and lay down on the table over there. Get up on it, lie on your back and please open your legs and place them on the two supports on the sides of the table.

I froze. There were three other men standing there staring at me. I said in astonishment:

– Are you crazy? Can't you see how many people are here? I don't even want to do this. I don't want to get undressed. Leave me alone! I want to leave!

Hearing these words, Prosecutor Chaborschi, breathing heavily behind me, cried out in despair:

- So what! We prepare everything here for you and you do what you want? Do you think you make the rules? Where do you think you are?

He didn't even finish talking when he grabbed me by my left arm, gesturing to one of the policemen, who then grabbed me by the other arm. Then the lawyer jumped up shocked:

- This is unacceptable, it is an appalling abuse that you do here, she is a minor, gentlemen, how dare you behave like wild animals? You are traumatising her for life!

Then the doctor also started to drag me onto the table, like a madman, in order to forcibly examine me. I sensed from the moment I entered the door that the doctor was complicit in this terrible action of the authorities and now I was proven correct. However, when he saw that I did not agree to the examination and that I was fighting it and crying, he backed off and told the prosecutor in a frightened voice:

- I will not do such an examination if the minor doesn't want it.

- Come on, stop the chatter and start working. You knew what this was about from the very beginning, Chaborchi replied to the doctor.

- What you're doing here is against the law, the doctor said, taking a few steps back and removing his gloves from his hands. I don't want to go to jail for a stupid thing like this, he concluded.

The doctor's words fell on deaf ears. Chaborschi was pulling my blouse so hard that it tore at the bottom. I felt as if he wanted to rape me. The lawyer was shouting:

– This is unacceptable! I've never seen anything like it! Leave her clothes alone! Leave her alone! What are you gentlemen doing with her? Mister prosecutor, we will press criminal charges against you!

But they continued to pull at my clothes, undressing me, like some obsessed, sadistic and deaf paedophiles. They pushed me towards the gynaecological examination table. I was pushed and slapped by Chaborschi.

– I will put you in jail, miserable girl! You will never see the light of day again, Chaborschi shouted, his eyeballs bulging out of the sockets. Get up on the table and open your legs, do you want us to stay here for a 100 years!?

A policeman who was there even said that he had spoken with my mother, who had agreed to this examination. I later found out that he was lying. He had spoken to my mother, but she had begged him to leave me alone.

All this was happening in the presence of the nurse, the forensic doctor, the lawyer, and the policemen. This horrific physical, sexual and psychological assault lasted for approximately two hours, and it all took place in a relatively small space of a medical office where so many people were attending a medical examination that was supposed to be done in an intimate, personal way and obviously willingly and without being supervised by anyone. In addition, the most serious fact was that I was still a minor at that time, and those present, with the exception of the lawyer and now also the doctor were in cahoots to abuse me.

Under no circumstances did I want such a sinister consultation in those conditions. Because I had nothing to hide, I went voluntarily on another occasion with my beloved Remus and I underwent this examination being prepared physically and psychologically, without being harassed, brutalised, or forced by anyone. I underwent this examination at the Institute of Forensic Medicine in Constanta and in the forensic certificate that was issued it shows that the perineal and anal examination did not find any pathological changes.

For 4 hours, I was forcibly detained in the IML building. The Hospital doors were blocked and watched by policemen, nobody entered and nobody left. I was pushed, physically and verbally assaulted by the prosecutors and policemen, led by Police Inspector Ilieş Dumitru. Despite all this, they didn't succeed in forcing me to undergo the gynaecological examination without my consent.

### *The justified, spontaneous protest of yogis*

Meanwhile, Remus, who had come with me to the prosecutor's office, was looking for me, because he didn't see me when I was taken out of the building. When he realised that I had disappeared, some of his friends who were present at the MISA yogis' protest rally, came up with the idea that maybe I had been taken to the court, where Gregorian Bivolaru's trial was taking place that same day. When they arrived at the Court they found out from a journalist that I had been taken to IML. They drove their cars to the IML and arrived there just as the prosecutors and policemen were dragging me forcibly into the hospital building. I didn't get a chance to see him, but he heard me screaming and she saw me opposing them. Then he started texting some friends on his phone that there was a new abuse taking place against me by the authorities and that I had been kidnapped by the authorities. The yogis informed each other and so began the spontaneous protest of the yogis, which was not actually a protest, but a normal reaction of helping a human being who was being abused.

When they took me out of the building, I noticed that it was hot outside. Several gendarmes surrounded me and shoved me against the wall of the building. I didn't know what they were going to do to me. I realised that they wanted to force me into a van, but they could not get to the van because of the crowd that had gathered in front of the hospital. There were already approximately 100 yogis who were peacefully protesting thereafter they found out that I had been forcibly taken away by the police and isolated in the hospital. I heard them shouting:

– Free her! Free her!

The policemen started pulling me again, now they wanted to push me inside the Institute again. I heard the Police Inspector Ilieş Dumitru making a phone call and asking for backup. I remember parts of the conversations between Chaborschi and Ilieş:

– Hey, they are coming after us! Ask for more of our people to come here quickly!

Ilieş then called once again.

– Send the (I don't remember what, it was an acronym). Things are getting heated over here!

Meanwhile, the people outside the Institute were chanting with raised hands:

– Respect the law! Respect the law! Respect the law!

The policemen and the prosecutor were already panicked. The number of protestors in front of the building was growing. They pushed us back inside the building. Ilieş Dumitru told us:

- Don't go anywhere!

Shortly after, I saw through the window how the intervention teams and special troops came, with men dressed in black, some of them wearing balaclavas over their heads and others with white helmets and transparent plastic shields. There were around 100-150 gendarmes. Commando troops with automatic weapons came also... just like in the movies.

Their diabolical plan of forcibly imposing that gynaecological examination, like some paedophile predators, in an action of the lowest kind, did not succeed, so they immediately devised and put into action another sinister plan. I was very afraid. I felt dragged back into a sinister nightmare in which evil human beings tortured me, dragging me into the darkness of hell, a hell in which they wanted to lock me up again. Why? I never harmed anyone.

– Please, I want to go home, I said to them in a subdued voice as I stepped out into the ground floor hallway of the Institute.

– You are not going anywhere! Police Inspector Ilieş Dumitru harshly replied to me, looking out the window at the crowd that had become very large.

– Stay here and guard her! Don't let her move even a millimetre! Is that clear? He told the policemen and walked a few steps away from us, pulling his mobile phone out of his pocket again.

We sat down on some chairs in the hallway, and my lawyer Adina Solomon sought to reassure me. I then heard Ilieș asking for directions over the phone. After a few minutes, he turned towards us, black with rage, then turned to the gendarmes who were there:

– Get out! Guard the entrance! Go! Do it!

They followed his order without hesitation and we remained with only Inspector Dumitru Ilieş. He looked at me with an undisguised hatred, because it seemed I had thwarted their plans by my courageous refusal of that illegal gynaecological examination. Then his phone rang:

– Yes, sir! Will do. Of course. We'll take her there. Of course, right away.

Out of the corner of my eye, I was able to see the forensic doctor from the IML, standing in the doorway, watching amazed at everything that was happening in front of him. Chaborschi, being inside the building, knocked on the window, and then some masked special troops entered, who simply took us outside, flanking us on both sides. The strong afternoon sun blinded me. Then I heard hundreds of voices in unison, just like a gigantic stream of hopeful support:

– Mă-dă-li-na! Mă-dă-li-na! Mă-dă-li-na!

The number of yogis grew to approximately 300. There were also some of our friends among all those yogis and MISA supporters. Protesters filled the courtyard of the Institute. In all the madness of that situation, amidst the shoving and shouting, I suddenly felt a familiar and protective embrace. It was my beloved Remus, who succeeded to sneak past the masked guards, who were guarding the steps of the Institute's entrance. I hoped he would rescue me from there. He was holding me tightly in his arms. The policemen dragged us violently to take us down the steps and put us into the police van. I was holding on tightly to Remus, who protected me for a while from the aggressions of the policemen and prosecutors, like a "protective shield," My whole body was shaking and I was extremely scared. Then I saw some giants in uniforms hitting the yogis with terrible violence. The yogis stayed with their arms above their heads shouting:

– No violence! No violence! No violence!

This seemed to provoke those gendarmes and policemen even more because their attack intensified, becoming even more violent, hitting and kicking with clubs, fists, and boots the yogis who, as I noted at the time, were protesting peacefully.

I was terribly afraid, I was holding my beloved's arms tightly and I could see how all hell broke loose so to speak, upon the yogis who came to protest against those abuses that were being committed against me. A feeling of overwhelming guilt came over me then. Dozens of people were terribly beaten for opposing those illegalities to which I was subjected.

They dragged us down the steps towards that crowd of people who were chanting:

- Free-dom! Free-dom! Free-dom!

Seeing that they would not be able to pass through that compact mass of people who were protesting vehemently, the policemen dragged me, Remus, and the lawyer Adina Solomon, back towards the entrance of the Institute. It was like being in a war. Masked gendarmes with automatic weapons and protective shields appeared, ushered us back inside the building and then dragged us round the back of the Institute, into a van with the flashing lights on. On either side of the van, there were approximately 15 masked gendarmes with guns, who ran close to the moving van, until we left the IML yard.

## My kidnapping

*Justice without force is powerless; force without justice is tyrannical.* - Blaise Pascal

Against my will, I was taken in that van along with my beloved and the IML lawyer to the Bucharest Police. In the van, there was also Inspector Dumitru Ilieş and gendarmes with balaclavas over their faces who were guarding us, with fully loaded guns. This "official" motorcade drove down the streets, with the siren on, which seemed deafening to me, the traffic was stopped, and the van was escorted by special troops in other cars, because the van with the "great criminal" Mădălina Dumitru, was passing through the streets. At that time, we had no idea where we were being taken, we thought we were being kidnapped and would be imprisoned without knowing what for. Honestly, after all this hysteria, I thought they were taking us somewhere and were going to kill us. That is how I felt then. We actually ended up at the Bucharest Police Headquarters. After the car stopped, I was immediately dragged into the police station by some policemen, who flanked me on both sides and pushed violently my beloved and my lawyer into the street. They were then denied entry on the grounds that their presence was not needed because my family was waiting for me inside the building. Remus told me later that he was even beaten up by those policemen, who cut his head. It was five in the afternoon. I waited in the hallway for a long time. I felt sick. I could not stand up anymore. An unassuming woman, who I think was a cleaning lady, saw how pale I was and brought me two calcium capsules. I received them and thanked her for her gesture, but I did not swallow them. After a while, a policeman came and told me:

– Wait here as your parents will come.

Every now and then, a policeman would come and tell me that my parents were coming to pick me up, but they were just giving a statement on another floor of the building. It was strange how they expressed themselves using the plural form because my father had died and only my mother was alive. I didn't understand why he said "parents". After one hour, another policeman came to me and told me that my parents had left. I realised then that I had been lied to in

a terrible way! They then took me outside the Police Headquarters building. The lawyer and Remus were also there, at the building's entrance, waiting for me. But the policemen escorting me didn't let me talk to them for even a moment. I started to shout:

– Remus, please help me. Don't leave me alone!

He then wanted to come towards me, but a policeman stopped him violently, punching him in the stomach. Then my lawyer came after me and wanted to intervene and get in the van which was just parked there to pick me up. In that moment, I saw a gendarme grab her by her hair and bang her head on the car. This can be proved by a forensic medical certificate that the lawyer later obtained, which attests to the existence of that injury. I was put in the back of the van. Along with me, another woman got in the van, who told me she is a doctor and a policewoman. On the front seats, beyond the metal bars that separated the van's compartment from the driver's cabin, two other men were sitting. I didn't know where they were taking me. The van started to drive at high speed. I was looking out the window. At one point, I saw many yogis walking on the street, who were coming back from the IML. I wanted to knock on the window and call out the names of the ones I knew. I started crying in desperation. I felt suffocated and devastated. The woman doctor told me then:

– You can fuss as much as you want because no one can see you because of the tinted windows and no one can hear you.

Noticing that I wasn't listening to her, she took out a syringe from a medical bag and said:

– If you don't calm down, look what is waiting for you.

The car drove very fast, with the siren on and at a tremendous speed. The police van was escorted by other police cars. When there were cars in front of us, slowing us down, the policemen sitting in the front seats, next to the driver, shouted over the loudspeaker system in the car:

– Make way, move to the right!

The woman who had gotten into the van with me, the one who said she is a doctor, started to smoke and blew the cigarette smoke in my face, amused. Then she teased me with a cigarette right in front of my nose and started to laugh sardonically:

– Come on, have a smoke!

I didn't smoke and I felt very sick because I was inhaling that noxious smoke. I said:

– I don't smoke. And the cigarette smoke makes me sick.

– Huh! All young girls do it...Do you think you are special?

And she smoked cigarette after cigarette. I didn't trust this woman at all. I was in a constant state of alert. I could tell we were getting close to leaving Bucharest. Then she said to me:

– We take you to your family in Constanta.

We stopped right at the entrance to Constanta County. There I saw my sister Florentina and her husband Marian Iordache through the van's window. They had come in their car to meet the policemen. The three men who were sitting in the front seats of the van that I was in got out and started talking to them. The doors of the police van opened. I exclaimed:

– Oli (this is how I used to call my sister when I was little) I beg you, help me. It's so good that you came!

She then looked at me disgusted. I thought the sky was falling in. I hoped that she, my sister, would be a lifeline for me, but her cold look shocked me. A policeman asked her, just like in the marketplace:

– Will you take her or shall we bring her to your house?

Then she exclaimed annoyed:

– I don't want her in this state. Looking at me like I was a stranger, she turned her back on me, and walked to the car telling the policeman over her shoulder: Bring her to my house. And if she does not recover, maybe sedate her, because I don't want her like this!

Then I cried out desperately and weeping with one last hope:

– Oli, take me with you, I beg you, don't leave me!

My sister said to her husband:

– Let's get out of here. I don't have time for this rag right now.

The policeman looked on in amazement as they slammed the car doors and sped off. I felt the last shred of my strength leaving me, but I still asked myself "W*hat were they doing there*?". A strange feeling gripped me. They took me to Constanța in a prisoner's van, like a big criminal. Now I felt like I was in the movies, where the dealers meet to exchange merchandise. In this case, the merchandise was me.

## I was detained and tormented

> A *slandered man is doubly injured. First by the one who propagates the calumny and secondly by the one who believes it before he investigates the truth.* - Herodot

### *Forcibly locked in a room, like in prison*

After I was kidnapped by the authorities on 1 April 2004, I was placed in the care of my sister's family, where I was literally imprisoned. The police drove me in the van to my sister's house in Constanta, in the Dolphinarium area. There, I was detained and held forcibly, against my will, by the criminal investigative authorities, at my sister's family Florentina and Marian Iordache. When I arrived at my sister's house, I was strip-searched by the woman who said she was a doctor and all my personal belongings: ID, money, and mobile phone, were taken away from me, making it impossible for me to contact the outside world. For a week, I was locked in my room. There was no toilet, so every time I needed to go to the toilet, I had to shout for someone to unlock the door. Florentina, my sister, then gave me a glass jar with a lid to use when I needed the toilet urgently and they were not available. After this grim and sombre first week, a decision was made by the Guardianship Authority to place me in the care of my sister's family. The hard days continued. I was in a heightened and continuous state of fear. I no longer trusted my family either. At night I had frightening dreams of hospitals I wanted to escape from and where I was running, being chased by doctors who wanted to harm me. I would run and run, but I couldn't find the exit and at the same time, the light would go out in my dream. I would wake up screaming at night and the room was pitch black. Then the fear and panic would increase. There was no lamp in the room. Night after night I was sweating profusely from fear. I was crying and sobbing almost all the time. The reality was like a nightmare.

My sister's house was guarded at all times by the Police and SRI (Romanian Intelligence Service) employees. My sister Florentina and her husband Marian had been convinced by the police and the prosecutors to make a deal against me. Thus, they conspired with the investigating bodies, and on the orders of the investigators kept me isolated in the house. The Child Protection Services from

Constanta, in collaboration with representatives from the Public Prosecutor's Office and the Police, took me from my mother's custody, against my will, on 7 April 2004, and by Decision nr. 696, entrusted me to my sister's family, Florentina and Marian Iordache (both of them also being classed as witnesses in the criminal investigation file 720/P/2003 and the court file 420/85/2005). My lawyer Adina Solomon, initiated a series of legal actions to protect my fundamental rights and liberties, including the right to defend myself (the right to choose a lawyer to represent me). All her efforts were unsuccessful or were unjustifiably rejected by the investigative bodies. For example, on 2 April 2004, my lawyer, Adina Solomon, sent the Memorandum nr. 578 (submitted on 5 April 2004) to the Prosecutor General of the Public Prosecutor's Office at the Bucharest Court of Appeal, complaining about the manner in which she was kept at a distance from me after the incidents at the IML and thus requesting the address of the place where I was being held and the legal grounds for this. She asked to participate in all judicial proceedings pertaining to me, and the quashing of those that had not been conducted in the presence of a lawyer.

Another legal request was made by my lawyer on 14 April 2004. She filed a complaint with the Child Protection Services of Constanta, claiming the violation of substantiative and formal conditions when I was placed into the care of my sister's family, by the decision nr. 696/07.04.2004, as well as the inhumane material and moral conditions in which I was living, which seriously affected my development and growth.

This abusive action of the Child Protection Services of Constanța was taken at the request of prosecutors and the police. I didn't make such a request of being moved from my mother's custody to my sister's custody and I didn't agree with this placement.

So, I ended up being detained in my sister's house. She lived across the road from the parental home where I spent my happy childhood, from where we had moved a few years ago. My happy childhood memories were sinking into the darkness of the abyss into which I was plunged by the abuses of the Romanian authorities, hand in hand with my own family. I was forbidden any contact with the outside world. The house was guarded around the clock. Police and SRI employees were permanently stationed outside the gate,

either in a car or patrolling the street. I was looking through the planks of the fence on the street where I used to play as a child with the neighbours' children. I was crying for hours in a row in front of my prison fence. It was like a terrible nightmare.

I was in an almost continuous state of terror. For the first seven days I was detained at my sister's, Remus didn't know anything about me. They were terrible days. My sister and my brother-in-law beat me daily and starved me, to make me come to my senses. My sister was calling me a "whore" or "prostitute" all the time. I realised as time went by that all this mocking was caused by the public hysteria triggered against MISA, by the slander and media uproar around the yoga school, and by the scandal I was dragged into unwillingly and without any right of appeal. I don't want to excuse my sister for the way she behaved, but I believe that the main ones responsible for the dissension between me and my family were the ones who generated this diabolical media coverage of my case.

Prosecutors, the police, the Intelligence Service employees, and journalists were all guilty of this. The press had been using indecent images of me from the house search, making unverified and untrue accusations, and expressing an unjustified hatred and a permanent hostility towards me. It was almost like the press manifested a terrible urge to torment me, mock me, humiliate me, and destroy me. Why? I cannot forgive this generalised and completely irresponsible attitude of the Romanian press, lacking any shred of professional ethics. What happened in my case is completely unacceptable. I discovered later, in some books, that journalists behaved similarly in the early days of communism.

My relationship with my sister was extremely tense during those days. They locked me in a room, in a dilapidated part of the house, where nobody had lived for a very long time. I couldn't sleep at night because of the dampness, mildew, and mould on the walls. I almost got sick because of it. I was not allowed out of the house. My sister kept telling me repeatedly:

– Don't you dare to get outside in the yard, because you will cause big problems for us!

I wanted so much to be able to call Remus, to tell him what had happened to me and where the policemen had taken me, but my sister told me that their landline was tapped and monitored, and is

also encrypted, and if I called from that phone and the policemen found out that they let me do it, then they could be in trouble. My sister's husband took leave from work to stay home and watch over me. I found out from one of the policemen guarding the house, who sometimes came in to drink a cup of coffee, that Florentina was promised that if they cooperated as required, she would be offered a job as a secretary at Constanta Police, plus other benefits, such as an increase in Marian's salary.

So I asked her:

_-What are you doing? Are you selling me out?

Her answer was:

– Well... I also have a child to take care of... Alina, her daughter, was young and she probably felt it necessary to do something to provide for her. My sister, who back then and also now is a housewife, probably thought it would be good for her daughter. I found out later from my mother, that the policemen told her that they would receive all those benefits if they would watch over me and if I would not give any new testimony.

I next saw Remus a week after the events at the IML. Remus found out from a newspaper article that I would be at the Child Protection Services in Constanța for a hearing. On the seventh day since I was in Constanta, three people from Child Protection Services, two women and a man came to my sister's house and brought me to the institution's office. When she introduced herself, one of the women told me that she has the same name as me, Mădălina.

– Hello, Mădălina. I am psychologist Mădălina Meirosu. Nice to meet you, she said as she cordially extended her hand. Do you want to become friends? You can trust me completely, I am on your side. I want to help you in any way I can. Tell me what's bothering you?

I felt like I was having deja vu with the terrible experience that I had on the evening of 18 March 2004 at the sinister interrogation in the prosecutor's office. But even this time I was gullible and naive. I hoped with all my heart that she would help me. I found out that there was a meeting scheduled at the Child Protection Services, where the decision would be made about where I would stay for 6 months until I turned 18.

I was asked if I wanted to live with my sister. I told them then very clearly, being extremely firm and determined, that I DO NOT

want to live with my sister's family and that I wanted to immediately go back to Bucharest, to go to high school and be with my beloved Remus.

One of them asked me insidiously:

– Are there any yogis in Costinesti?

– Yes, I answered. Only then I understood why they were so adamant about not sending me to my mother, who lives in Costinesti.

– She will most likely run away from her mother to the yogi's residence, they commented.

Directress Munteanu Eugenia said:

– The representatives of the Child Protection Services were contacted by your mother who asked us to help her because she cannot get along with you anymore due to the bad influence of those from MISA.

– I don't believe this, I replied. I don't think my mother said something like this. My mother knows the yogis from the summer camp. She knows they are good people. Besides, she even has some friends from MISA who live in Costinesti during the winter and with whom she gets along very well, some of them being very close to her.

Still, being curious, I later asked my mother:

– Mother, look what the Child Protection Services in Constanța told me. I told her the whole story. Is it true?

– How can it be true, my dear, you know me. Luminita did it. You know she can't stand the yogis. She pretended to be me on the phone. This is what happened.

Thus, they revoked my mother's guardianship of me until I came of age and they empowered my middle sister Florentina, who knew about this plot, with this responsibility and had agreed to it.

– No! I said once again very clearly that I don't want to stay with my sister anymore. I want to go back to Bucharest and continue my studies.

– You have to stay with your sister's family until you turn 18.

I vehemently refused this. I thought I would choke when I heard the decision that had been taken for me again. Then, Directress Munteanu Eugenia told me:

- You can return to Bucharest, but only on the condition that you will be permanently accompanied by someone delegated by us, the director said.

– No, Directress, we don't agree with this option of a companion. Please order her to be placed with us, Florentina replied.

I started to cry and tremble. I didn't want to stay in that house, considering what I had been through there!

Then I told those from Child Protection Services:

– Florentina and Marian beat me and don't give me food.

Then my sister jumped up shouting:

– Don't believe her! She is lying!

I started to cry and gave details of the situations my sister and my brother-in-law had put me through in those days. Then my sister intervened and said:

– She'll say anything just to be let go! She is lying! I couldn't believe that my sister was also like the prosecutors. I felt like I was losing my mind. Then a man came into the office and I heard him telling the Directress that there was a man outside named Remus, who said he is the girl's boyfriend. Then the Directress told him:

– Request a police presence to avoid any possible incidents and, because the girl is visibly agitated, also call an Ambulance crew.

When I came out of the building, I saw Remus, I ran towards him and jumped in his arms. I felt as if I was calming down and I could breathe normally. But this lasted only a few moments. I heard my sister who started to call me in a theatrical way, with false friendliness. Then, a man in a tracksuit came towards me.

– Get away from Remus immediately! And she made a sign to my brother-in-law to come and get me.

I held Remus tight and I didn't want to leave. Then Remus asked that man:

– Who are you? Please show me some identification.

The man pushed Remus, twisted his arm behind his back, and then punched him in the stomach. He moaned and doubled over in pain. All this happened in front of my eyes and in the presence of other people. No one there intervened. I started crying when I saw him being beaten and I wanted to see what happened to him. Then, they took him away and forcibly put him in a police van. I found out later that he had been taken to the Constanta police station, where he wrongly received a fine for disturbing public order. My brother-in-law took me forcibly out of there and put me in his personal car. I was struggling and crying. I wanted to be with my beloved

Remus. My sister was also in the car. She started yelling at me and cursing me. I arrived back where I started from in the morning, at the prison house. I withdrew resignedly into the cold, mouldy room. In a moment of inattentiveness by my sister, I grabbed the room key and locked myself inside in fear of being beaten. Florentina was in a rage and wanted to come in and beat me. Later in the evening, after she had calmed down, I was able to go out and beg for something to eat. I was starving after another day of terrible terror.

### *A short escape*

There was a moment when, despite the fact that the police van was outside the gate, I got out of the yard. I was very upset and wanting to calm down I went to a McDonald's close to my sister's house. Just as I entered the restaurant some men came in with me. They were staring at me. I felt clearly that they knew exactly who I was. Other men gathered in front of the restaurant in just a few minutes.

They got out of some cars which filled the restaurant's parking lot. They came out of nowhere. I saw them as they surrounded that place, after a quick meeting in the parking lot. Then, to my astonishment, two of them sat down at the table where I was seated, without asking for my permission. I was shocked. I looked straight at them. They simply stared at me. Then I stood up to go to the counter and place a food order. The two of them who had been looking at me with questioning eyes got startled and wanted to stand up and come after me. I ordered fries with hot sauce and a large juice. As I turned back to the table, I looked around. There were big windows on all sides of the building, and you could clearly see outside. The men who had quickly arrived with their cars were now arranged in a circle, standing all around the restaurant looking at the restaurant's exits. Some of them were putting earphones in their ears. I returned to the table. The two men looked at me with a hungry and strange curiosity. I started to eat. They didn't say a word. I looked at them innocently. After I finished eating, since they invited themselves to my table without asking me, I felt entitled to tell them:

– I would like to ask you to pay for my food, thank you. And I stood up and walked toward the toilet. They elbowed each other like some school kids caught without their homework. When I was close to the toilet door, I heard one of them calling to the waiter:

– Is there an exit in the back?

– No, not in the toilet area, he replied.

But when I went into the toilet, I saw the vent window. With a climb and a little effort, I could escape. But when I stood up on the windowsill, I saw them. They were also in the back of the parking lot. I went back to the table. The waiter came towards me.

– This is your bill.

– The gentlemen will pay, I said pointing towards them.

The younger one, somewhere around 30, replied slightly puzzled:

– Please forgive me, I have nothing against you. My superiors picked me up from my house, where I was eating fried chicken with garlic sauce cooked by my wife and asked me to come here urgently. I'm hungry and now I have a bill to pay. Not that we haven't enjoyed your presence. It just didn't keep us from feeling hungry.

– Right then Marian, my brother-in-law, stormed through the door, came towards me, and black with rage, yanked me up by the arm and dragged me outside shoving me into his car.

– Get back home! Wait and see what your sister will do to you! You crazy girl! He yelled at me, then sped off, driving very fast towards home.

I got home and again I managed to lock myself into my room. I was crying and all I wanted was to be left alone. I didn't want to be followed anymore! I am not a criminal! I was continuously afraid thinking that someone was following me.

I missed the normal days of going to school. I was thinking about the exam that was approaching and one day, I asked my sister and her husband to bring me some books, but nobody was kind enough to do it. I missed Remus. He came to visit me a few days after that incident.

– I would like to see Mădălina, is it possible? He asked my sister.

She had calmed down in the meantime and replied:

– Yes, you can see her, but only for 5 minutes.

He entered my room and she looked at her watch.

– I brought you some cakes that you like very much and the flowers that I know you love, he said. I am so happy to see you, my love, he continued.

He held me in his arms. I started to cry. I was holding him very tightly to my chest.

– Stay with me. I beg you.

I could truly feel his love embracing me tenderly and that he would never hurt me. We were looking into each other's eyes and tears of happiness were running down my cheeks. I don't know how much time had passed. I felt that after such a long time of suffering, fragments of the happy life I had lived so easily before were making their way back. The door slammed deafeningly against the wall.

– Get out of my house immediately! Florentina shouted in a rage. I said only 5 minutes. Jerk!

He slowly walked backwards towards the door as if apologising to me.

– 7 minutes have passed, get out. Now!" My sister continued shouting.

Remus was completely distraught. The drop of peace he had brought me evaporated in a flash. The ray of happiness had suddenly faded, as if without hope. I felt like I was torn to pieces. I was living in a state of terrible suffering. I cried a lot after he was chased away like a stray dog by my sister. I held the bouquet of flowers in my arms, and my tears became dew for the petals. I put them in a vase, caressed their petals with an immense yearning, and then starting to slowly recover I opened the box of cakes. Emotions swept over me again because Remus had chosen our favourite cakes that we used to enjoy together all the time.

That day passed quickly enough. The next day there was another meeting with the Child Protection Services. Now they called me to check if I had adapted to the new conditions and to legally empower my sister and my brother-in-law as guardians. I went there with Florentina and Marian. I was still sad after yesterday's event. I went in, I said hello and I told them directly that I DON'T want to live with my sister's family anymore because she behaves in an absurd and very harsh way. She doesn't treat me maturely and protectively as she should do as an older sister and not only that, but she speaks very badly to me and she swears at me using very vulgar words. I repeated that I couldn't stand hearing such miserable words every day.

– Everything I am saying now is true and I sense that you realise it and I appeal to your common sense to consider everything I have confessed to you.

– The decision has already been made and for the time being, until you turn 18, you have to live with them, Mrs Munteanu told me.

I felt like I was going crazy. My sister was behaving theatrically, pretending to be a kind and benevolent woman in front of them and she said again:

– Why do you lie to the Directress? She said with false amiability. You know what you say is not true, right? She said looking at me with a sly and sneaky smile.

I could feel myself starting to sink into a terrible depression. When I came out of the office, after the meeting ended, I saw Remus and called out to him. He came towards me:

- Remus, take me with you because I can't stand it anymore. Or at least do something and come there more often. I beg you!

Again, they didn't let us talk for more than five minutes. I held him tight and didn't want to let go. Then some policemen separated us. I was crying and started screaming:

– Remus, help me, get me out of here! I want to be with you!

I started screaming very loudly. I felt like cornered prey that was about to be savagely devoured by its predator. Remus was being threatened by another policeman, although he hadn't done anything wrong. I was violently pushed by my sister and my brother-in-law, right in front of the representatives of Child Protection Services. I looked at them.

– Help me! I shouted desperately with the last of my strength.

Without exception, they all looked away. Some of them even lowered their heads and had no reaction at all. Others looked away. The window of that room was open. Then someone from the outside asked:

- What is going on in there? My sister lent out of the window and shouted at them:

– Is this hysterical girl! Then she closed the window with a thud.

I was sobbing and writhing in their clutches. I couldn't bear to be touched by anyone in my sister's family, especially Florentina. I wanted to get out of that torturous and exhausting situation as soon as possible.

They took me out of the building. It was full of TV reporters, people, journalists shouting, and friends who had come to see me in the hope that something could be done. That's when I saw Remus being forced into a van that drove off with its lights on and siren blaring.

Marian was putting his hands on me in a lecherous way, supposedly to get me to calm down. They forced me back into my sister's house and locked me in my room. I cried myself to sleep. When I woke up, I called Florentina:

– Please be so kind and open the door. I need to go to the toilet.

Then she came and opened the door.

– Behave yourself and don't make a scene. A policeman has come from Bucharest. An important one. Pavel is his name (she mentioned his first and last name, but I remember only his first name). Then she went back to the room where the "guest" from Bucharest was. On my way to the bathroom, I saw that the door where the three of them were open. So, I stayed near the door and I listened to what the newcomer was telling them:

– Be careful with her, Pavel was telling them. Don't let her go out in the street, don't let anyone see her. She needs to be as isolated as possible, don't let her have any contact with anyone in MISA. \Don't allow her access to the phone and make sure she does not run away. She is one of the most important elements in the MISA case that is starting now and if she gets to Bucharest, she will ruin some of our plans, he told them worriedly. We want to catch Bivolaru at all costs and this is our chance. We will finally put Bivolaru behind bars. She is "the queen of evidence", He felt it important to add.

Then, my brother-in-law asked:

– But what if she still runs away?

– There are police that will find her and bring her back.

– But what if she contacts a yogi who helps her run away? My sister's husband asked again.

Then, the policeman told them:

– It's simple. If something like this happens, then the yogi will be put in jail and investigated.

I was shocked and then I began to realise the gravity of the situation in which I was implicated against my will, right from the beginning, right from the house search on 18 March 2004. I started to understand how the Romanian authorities used me in their witch hunt. I tried a few times to tell my sister how I felt and what I had been through, but to no avail. It was as if she was deaf. She didn't want to hear anything from me.

## *I was sexually abused by my brother-in-law*

My sister and her husband took their role of guardians very seriously, which the Romanian authorities had abusively invested them with. Nobody cared that this meant I was unable to continue my studies. Back then I was a student in the 11th grade at the Viilor Economic High School in Bucharest. My sister and her husband, in whose care I was placed, lived in Constanta. Nobody took care of transferring me from Bucharest to Constanta and there was never any question of continuing my studies, as would have been normal. They only knew one thing: they complied with the order of keeping me locked up inside the house, and nothing more. Because of this, I accumulated absences at school and so, as a result of this period of harassment and detention I was expelled. In addition, they did not provide me with the food that I needed. There were always allusions like: "*What's with this girl? I need to eat meat and whatever else they give me*".

My sister told me:

– I will bring you to your senses! She would hit me if I commented about the food she gave me. While they kept me there, they gave me almost only bread and milk, because they didn't want to buy me anything else. This is not a yogi house, but one of "normal" people, they said justifying their utterly malicious attitude towards my vegetarian diet, putting many times dishes containing meat on my plate, when I was eating with them.

They swore at me and talked to me in a vulgar way almost all of the time. Sometimes I wanted to talk to my mother, to tell her what I was going through, but I was not allowed to. They never let my mother see me while they kept me there. When she found out that I was in Constanța at Florentina's, she tried to contact me and came looking for me. Do you know what happened? Marian, her son-in-law, beat her until she fell on the floor and wet herself. This happened in front of witnesses, and nobody intervened although the house was guarded day and night by either a policeman or an SRI agent. But I found out about these stories from my mother, many years after they happened. I didn't recognise Florentina anymore. An evil metamorphosis had taken place in her character. She was not like this when I was younger. At that time, my sister was for

me a feminine model and we loved each other very much. It was shocking to see how she was now, and I was unable to understand what caused her to react so violently towards me and to behave like she was completely soulless. I would talk to her through the door and her answers almost always sounded like this:

– I don't trust you, she would say to me. You are a prostitute! You continuously lie to me! Look what they say about you on TV... You're on all the TV channels...Whore! She was repeating it day after day.

I wished I could have made her listen to me and understand me, and sometimes I asked her to put herself in my shoes, even just for a few minutes, to see how I felt, to feel how much suffering this circus had caused me. in which I had become an unwilling and innocent puppet. The deep soul connection between us had become a thing of the past. The situation between us worsened after the incident which between me and her husband Marian. One day I went to the bathroom to take a shower. I left my orange slippers outside the bathroom door. I entered the shower and let the water run. I was with my back to the door.

After a few moments, I felt an unpleasant touch on my back. I flinched in fright and turned around. Marian, my sister's husband had entered sneakily without knocking at the door. He asked me lecherously:

– What are you doing, abused girl? In shock, I covered myself with a towel.

He then said:

– Don't you like it? Touching my breasts with both hands.

I pulled away suddenly and he said:

– Hey, where are you running to? Let me touch you!

I jumped out of the bathtub immediately and with the towel on me with water dripping and the shampoo foam in my hair, I went in a panic to my sister who was in the kitchen and told her what her husband had done to me, but she didn't believe me. That moment, however, was a turning point in their marriage.

One morning, while I was asleep, my sister woke me up shouting at me:

– You're destroying my family, you bitch! I got into a fight with Marian because of you! Whore, I can't wait for you to get out of here. I don't want to see you again! She turned and left suddenly. After she

found out about the perverse and obscene gestures Marian made towards me, she became nicer to Remus and she even called him letting him know that she would allow him to come and see me. He came to see me on 15 April 2004, with two of our friends, Costică Cojocaru and his wife Nadia.

– I would like to go out in the city for a bit, he respectfully told my sister and her husband.

– Of course, no problem, Florentina responded quickly, immediately accepting the situation, so Marian would take a break from being close to me.

But my brother-in-law, being jealous of Remus, began to become agitated.

– I'm breaking the law like an idiot if I let you go out like this. I'm afraid of the police that I promised you wouldn't leave, looking at me obsessively. I don't agree with you going to the city.

Remus then took out his ID card and handed it to my brother-in-law.

– Here's the guarantee of our return.

Then, my brother-in-law went out and made a phone call.

– Very well, you can go, but tell me the time you will bring her back, giving Remus a glare. If you are late, I will call the police.

As I walked through the gate, I immediately started telling Remus about the conditions my sister was keeping me in. Because I was forcibly taken to Constanța, taken from the street, I had nothing with me, no change of clothes, not even underwear. My phone, ID, and all the money I had with me when I arrived had been confiscated by my sister. That's why Remus and our friends thought of buying me some clothes that I needed. At every step, we were obviously followed by a man dressed in civilian clothes, who I think wanted to intimidate us, showing us that we couldn't move without being seen. He was walking so close to us, that we were almost shoulder to shoulder. That shadow of mine even entered after me into a small boutique where I bought some lingerie. Then we headed towards a restaurant. I was so happy for this freedom. I was at the table. For dessert, we were served some huge glasses filled with profiteroles.

Remus came close to my ear and whispered:

– My love, I will be right back.

I started eating that cake. It tasted perfect. I looked up and two waiters were walking towards me, smiling, each bringing a huge bouquet of roses. I was ecstatic. Then, one of my favourite songs started to play on the restaurant speakers. Remus appeared playfully between the two bouquets of roses, knelt in front of me and pulled out a jewellery box which he handed to me with a romantic gesture. I was speechless. It felt like I was in paradise. Then I opened the little box and diamond sparks enchanted my eyes. The most beautiful ring I had ever seen, sparkled like the midday sun in a velvety red bed. Then, just like in a dream, I heard the words:

– My wonderful beloved, will you be my wife before God?

Then, I bent down full of gratitude, took his hands in mine and with a trembling voice answered full of happiness:

– Remus! I love you! I want to be yours for eternity!

We embraced each other and I started to cry with happiness. Then after these indescribable moments, we began to eat the cakes which now tasted heavenly! Remus's phone started ringing.

– You are 5 minutes late, I heard the agitated voice of Marian. I'm calling the police.

– We apologise. We'll come immediately, Remus answered.

We didn't realise how time had passed by so quickly. When we arrived at their house, I saw that my other sister from Costinesti, Luminita, was also there. I opened the car door, and my brother-in-law jumped in and dragged me out of the car, away from Remus and pushed me into the yard. Then my sisters saw the ring I had just received. They asked sarcastically:

– What's this?

– I got engaged! I answered them with a huge smile.

They both jumped on me, slapping me.

– Look at this, Cinderella's got some nerve, exclaimed Florentina, pulling my hair.

– But he didn't buy golden shoes for you? Luminita said pushing me against the wall.

Marian was yelling like a madman:

– What have you done, you fool?! I will go to jail because of you! You're burning to be married? Looking at me with undisguised hatred.

– Remus was watching the scene through the fence. I miraculously managed to escape from their hands and I ran to my room. I found out

later that he and Costică had called the Constanta Child Protection Services and told them that I was being abused by my relatives. Then, within a few hours, a team from Child Protection Services came over to check that complaint. They spoke to me and although I told them very clearly how my relatives treated me and I showed them that I was bruised on my face and arms, nothing happened. What's more, the psychologist who succeeded to win my trust with sweet words, and who told me that she would take measures, was approached by some TV reporters as she left through the gate. When I saw this, I rejoiced in my heart because I said to myself: "*Finally, she will tell the whole world about the inhumane conditions I am detained in by my own family and the truth will come to light.*" I was completely astonished when I saw the news on TV that evening. I had once again been lied to with utter impudence.

– Mădălina feels very good with her family and is beginning to adjust, the psychologist nonchalantly declared to the press.

I was again deeply disappointed, hurt, and confused by this situation which was seemingly repeating without end. My trust in people had been shattered beyond repair. Shaken to the core, I couldn't sleep a wink all night. I suffered and cried and begged God for all this suffering to stop. Then I wrote a letter in my diary that I hoped I could send to the Directress Eugenia Munteanu:

"*For the attention of Directress Eugenia Munteanu, undersigned Mădălina Dumitru, born on 13.09.1986, living in Costinesti, Constanta. I request a written reply stating that you will let me marry Remus. I also wish to be given into the care of my future husband because my sister's family cannot afford to buy me everything I would need for my age. In her family, only my brother-in-law is a wage earner, and my sister is a housewife. I want to continue my studies in Bucharest. In May I have a very important exam to take. I want to go to high school in Bucharest from 19.04.2004 to prepare for the exam. Please respect my higher ideals. Thank you!*"

## A desperate escape

*Freedom is the oxygen of the soul.* - Moshe Dayan

Days had passed, as long as years. But in one of them hope revived my being. I saw on the news that the police van that was always watching me was no longer outside my sister's house. Then, an idea sprang into my mind. I felt spontaneously overcome by a state of happiness and relief.

– What happened to the van outside the gate? I asked Florentina.

– Sometimes, when the police shift is over, it takes a while for the replacement shift to arrive. It's not always like that, but it happens, she told me.

I prayed intensely and fervently that it would happen again because I really wanted to escape from there and run away.

One evening, Florentina came to me. She was in a better mood.

– I will make rice pudding.

I jumped for joy when I heard. This was one of the dishes I loved when I was little. I hugged her.

– I will make more. Marian and Alina, their daughter, like it too.

– I am so happy! I answered cheerfully. I will not eat alone. Can I help you with something? I asked her.

– You don't need to, she replied, returning to the same serious and grave tone in her voice as usual.

– Before I eat, I will take a little bath, I replied to her jokingly.

She stared at me with a slight frown.

– All right, all right, I'll pull the latch too, I smiled, waving her out of the kitchen.

I stepped into the yard and ran towards the bathroom, my eyes were drawn like a magnet to the fence by the entrance. A miracle! The police car was not outside the gate at that moment. My prayers had been answered. I went quickly to the bathroom, turned on the tap in the bathtub and let the water run. I rushed out, closed the bathroom door and went into the yard. On the evening of 22 April 2004 I "escaped". I climbed the fence. The dog in the yard, a mix of Pekingese and Teckel, came after me. I climbed the fence and when I was about to lift the other leg, Piki, barking desperately, jumped up and caught my pants in the ankle area with his teeth. I wanted to

shake him off by shaking my leg, but apparently, even he was against my freedom.

– Piki, Piki, please let me go, let me go, I said looking scared into the yard lest the sister comes out and sees me.

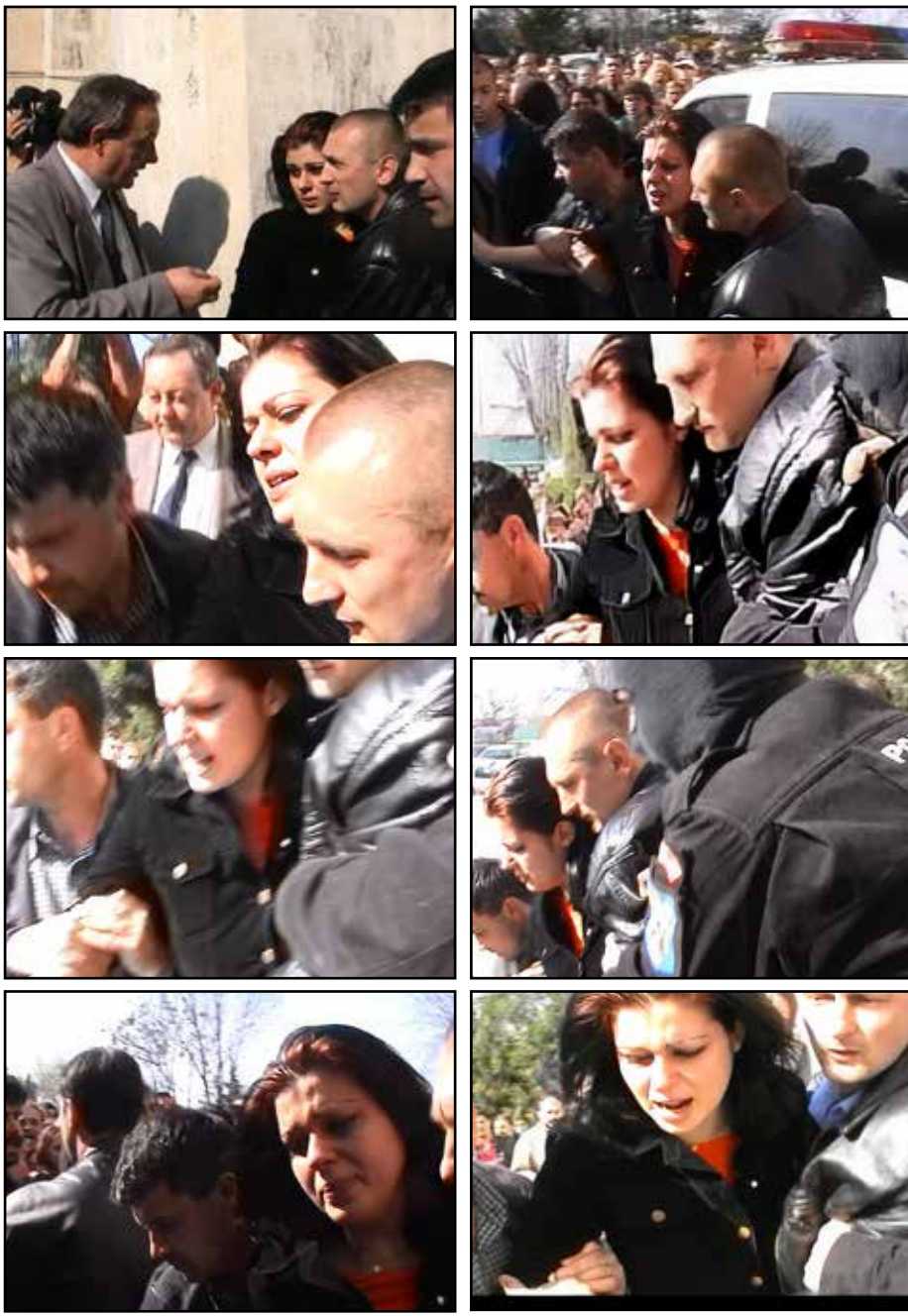
My heart was beating terribly fast. I could hear the pulse in my ears. My legs were shaking. Growling, Piki tried to get a better grip on my leg. Then suddenly I pulled my leg over the fence and in an instant I was outside the gate.

Piki was barking like thieves were coming. Providence ensured that there was absolutely no one on the street. I was like in a space-time bubble. Everything stopped in those seconds. I ran as fast as I could to the end of the street, and then I walked normally.

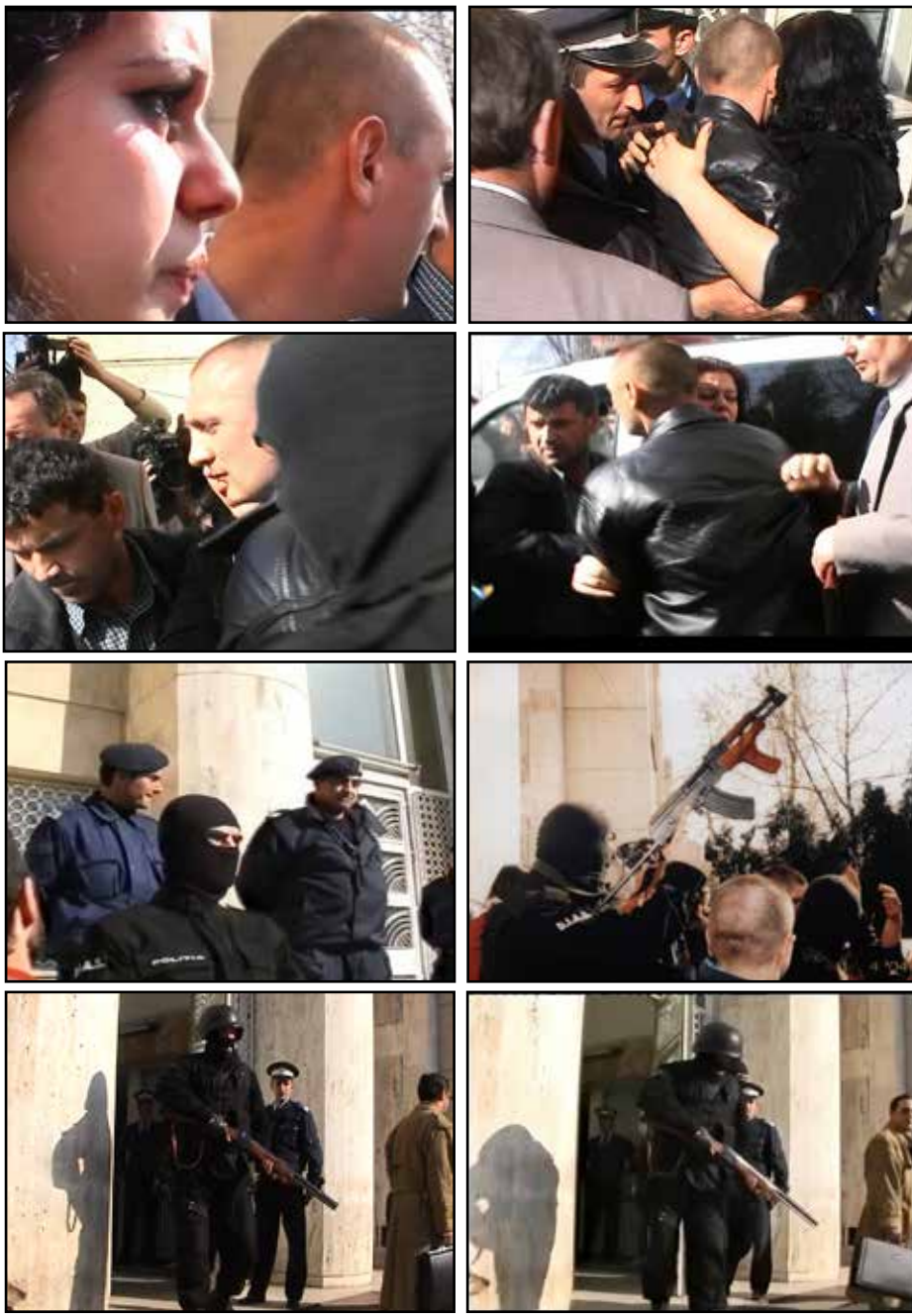
– I escaped! I am finally free! I said to myself.

I was experiencing an intense state of joy and freedom. An overwhelming shiver of gratitude to God embraced me in that moment. Just as I stepped out onto the boulevard, the police car turned right onto the street I had just "escaped" from. I had left without warm clothes, no food, no papers, and no phone. I didn't have any of them. I did however have some money in my trousers' pocket that Remus gave me when he visited last time. It was night and it was getting cold. The state of happiness quickly transformed into the need to resolve the basic necessities that had appeared: I was hungry, I was cold and I was afraid. The sirens of police cars could be heard everywhere and I knew they were looking for me. I went straight to the beach. I took shelter in a small wooden house used as a bar in the summer. I remained living on the streets for many days. For a long time, I had the feeling that I was living in a continuous nightmare from which I wanted to wake up, but I couldn't find the way out. It was as if I was in a jungle. I was afraid to contact my fiancé Remus or a colleague from the yoga course. I had heard the very "important" policeman who came from Bucharest to my sister's family say, that if I ran away and I contacted someone from MISA, that person would immediately be put in jail. So, I decided to hide as best I could and I travelled clandestinely through many cities in the country by train, wearing only the clothes on my back. I was eating the leftovers I sometimes found on restaurant terraces, or even thrown out next to the garbage. At one point I passed by an open terrace that had the TV on full volume. That's how I heard

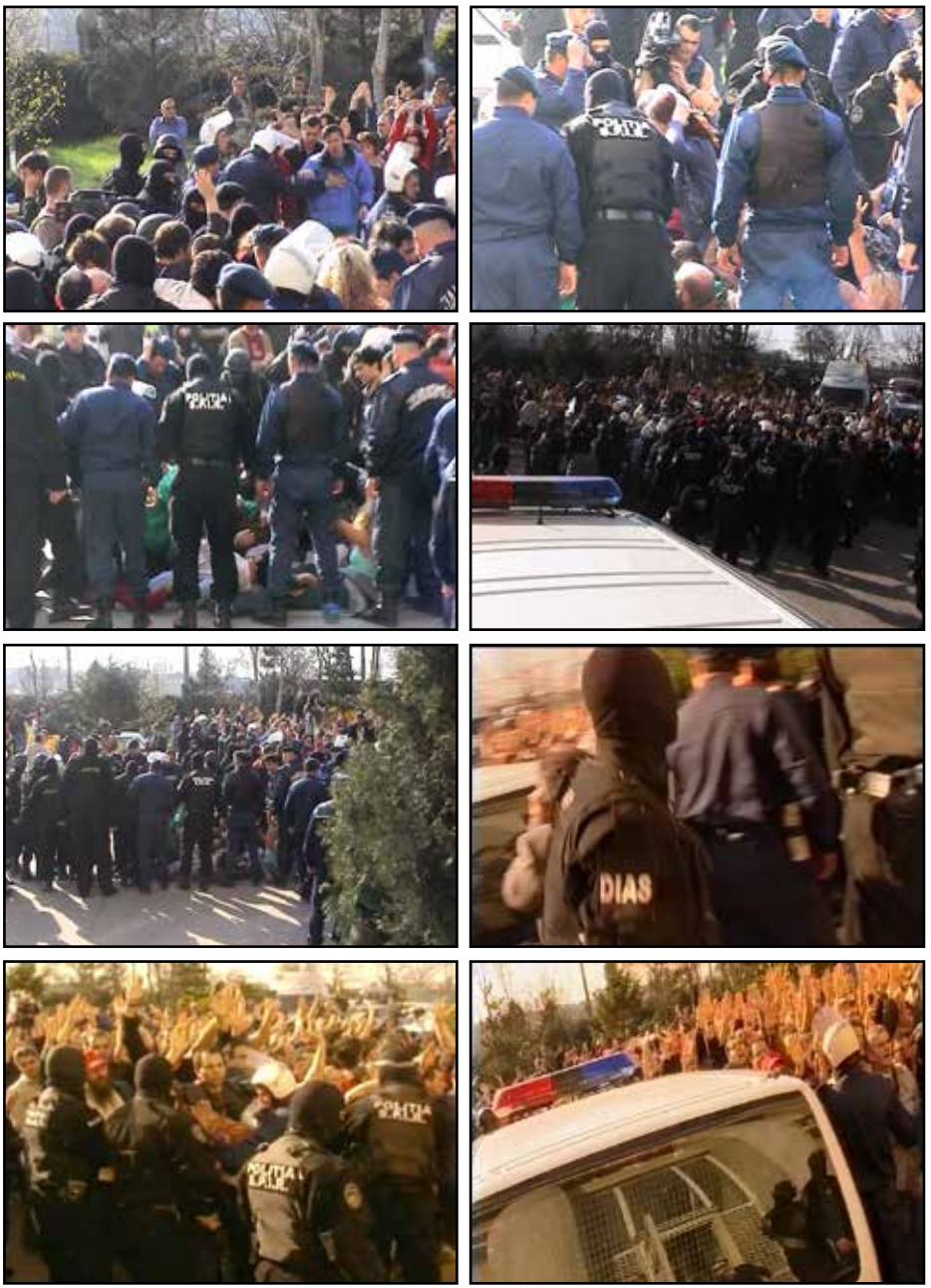
the news that I was a wanted person, and I was also banned from leaving the country. I decided to go to a very close relative who lived somewhere in the province, whom I begged with all my heart to help me. She said that I can stay there, but to keep it quiet and not tell anyone anything about it. I was, still am, and will always be grateful to her for the help she offered me when I was in dire need. This person was like a balm for my soul. I will keep the name of the person who was by my side until I turned 18 anonymous. While I was living safely with my relative, I saw on TV several news reports featuring Remus, my fiancé, confessing very upset that he doesn't know anything about me. I was suffering terribly. I promised myself, even though it was breaking my heart, that I would not call him at all until I turned 18, so as to not cause him any problems. This is how the five months that remained until I came of age passed with difficulty. I was afraid of him being caught again by the authorities and hurt and I didn't want anything to happen to him because of me. I cried a lot every day and when I saw him on the news sometimes, I felt my heart was breaking. I could not wait for all this time we were separated by these tragic events to pass as quickly as possible so I could see him again. My longing for him had grown so much towards the end of this time that I decided to do something a little crazy. My saviour relative helped me with everything, including money for the trip. The day before turning 18, I took the train to Bucharest to meet him. I was 17 years and 364 days old! That morning I gave him a huge surprise when I called him on a public phone from the Gare de Nord station, exactly on my birthday. I had turned the much-awaited age of 18 years old. I was an adult. I was the sole master of my own destiny. All the situations I had been through made me extremely cautious, which was wise, because in December 2004 I was on the most wanted list! They were looking for me like I was a criminal.



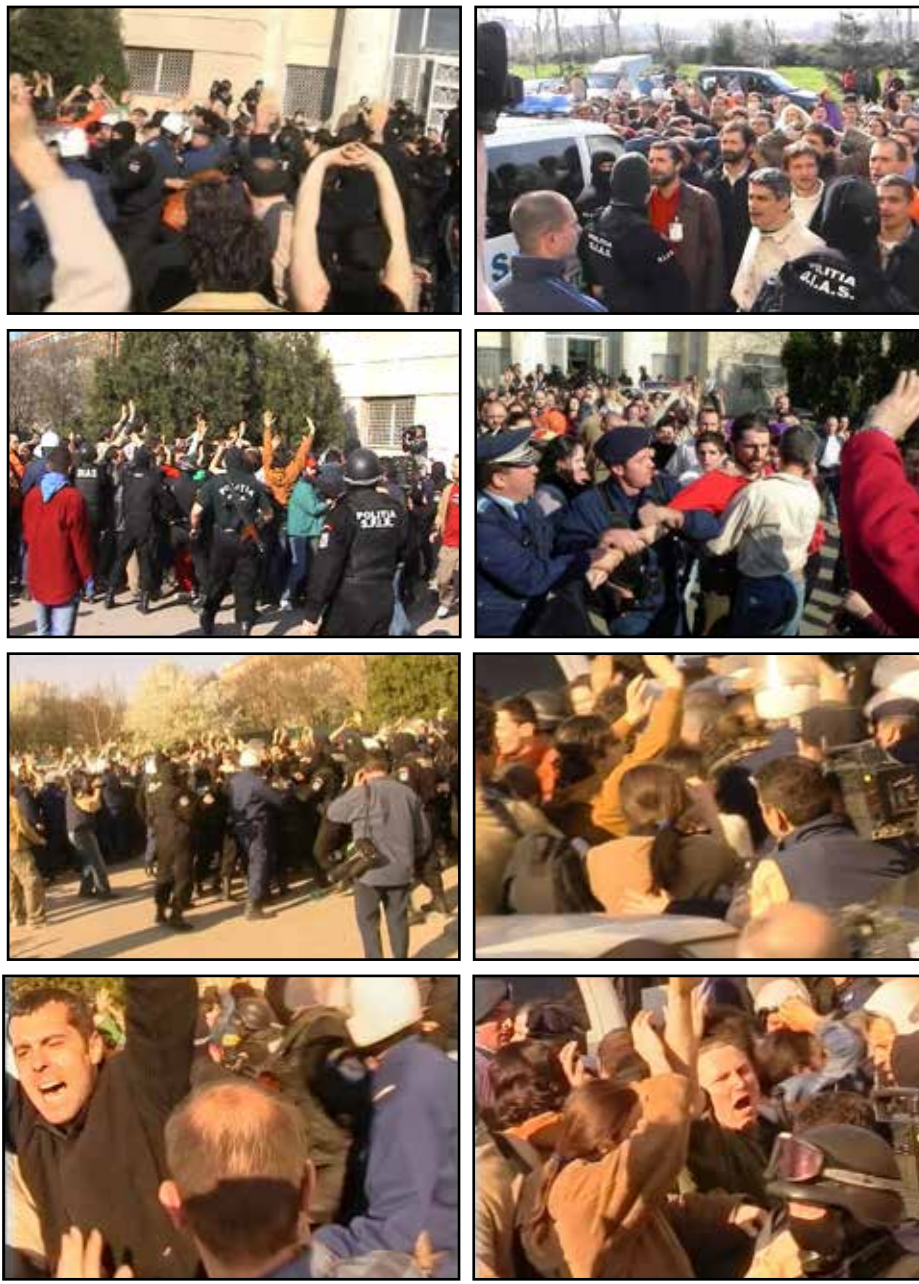
*Me at the entrance of IML Bucharest, on April 1st 2004, when I was forcibly taken away from my fiancé Remus Lomós by the police officers (part 1)*



*Me at the entrance of IML Bucharest, on April 1st 2004, when I was forcibly taken away from my fiancé Remus Lomós by the police officers (part 2)*




*Images of yogis participating in the rally at IML Bucharest on April 1st, 2004, showing how they were brutalized by gendarmes, although they were demonstrating peacefully in support of me (part 1).*



*Images from the peaceful rally of the yogis in front of IML Bucharest, on April 1st, 2004, showing how they were brutalized by gendarmes, although they were demonstrating peacefully in support of me (part 2).*

*Images of yogis participating in the rally at IML Bucharest on April 1st, 2004, showing how they were brutalized by gendarmes, although they were demonstrating peacefully in support of me (part 3)..*

*Well-known sociologist Gabriel Andreescu (bottom-right) who witnessed the violent actions of the gendarmes against the yogis peacefully demonstrating at the IML rally, publicly and strongly disapproved of them.*

# II. MY LIFE BEFORE 18 MARCH 2004

*Learn from yesterday, live for today, hope for tomorrow.* - Albert Einstein

## My childhood

*Childhood is the heart of all ages.* - Lucian Blaga

### *A little paradise*

I was born in Constanta, three streets from the sea, on September 13, 1986. As the youngest, I was spoiled by everyone in my family. For as long as I can remember, the warmth of the sun and the sea breeze filled me with a deep delight. Summer was and still is my favourite season. For me, these warm months of the year meant so much. I was very happy in that little paradise of my childhood. On the street where I lived, I had many friends and schoolmates. In the summer holidays, I played with children my age the whole day long. My parents were very hard working and concerned about household things, so our house was very beautiful, clean, and looked like new all the time. We always had material abundance, and nothing was lacking while we lived there. I liked it very much, and that's why I even invited the children to play in my house when it was raining outside because we had a very big room. I liked to show off because our house was always clean and tidy. We had many big pots with exotic flowers, and everything was perfectly arranged, and my mother made sure that every week she prepared 2-3 kinds of cakes. I used to compare our house with the houses of my playmates, and sometimes, I even asked them very sure of myself if they liked my house. I felt our house was the most beautiful on the whole street. We had seven large rooms, and one of them was even very large, with big windows. We had a bathroom fitted with everything we needed, including hot water, we had a spacious kitchen with all the necessary utilities and a fairly large yard, partially covered with vines, with fragrant black grapes. I felt like I was living in paradise there. I loved it! On the same street as me and my parents, my middle sister Florentina, almost 20 years older than me, married a young man who lived at the other end of the street, on the same side as my parents. My sister was very affectionate with me. She caressed me and held me in her arms a lot.

During summer holidays, we would go to her yard with lots of children my age and play. She sometimes served us with slices of very sweet watermelon. We were all very happy and ate everything, almost even the rind. I even remember how we kids would have a competition to see who could eat the slice of watermelon the fastest. My sister encouraged me to win and supported me by cheering for me. We laughed a lot and ate at the same time. I felt loved, protected and very spoiled. I walked up and down my childhood street, being very cheerful and playing with friends my age until the sun set completely.

At some point, however, the time of this wonderful paradise in which I lived feeling the happiest came to an end. We moved from Constanța to Costinesti. That was the moment when the happiness and effervescence I was fully showing started to fade away, and I became more and more insipid. My eldest sister, Luminița, fought very hard to convince our parents and insisted very much that they move to Costinesti. She kept repeating:

– Dad will retire soon, and in Costinesti you can make a lot of money during the summer season, so we can make enough for an entire year until the next season.

My parents were convinced and finally decided to move to Costinesti. When I heard this, I was very upset. I was walking around the house, touching the walls and talking to them, begging them to not let my parents move. I didn't know what would come next, but I had an intuition that it would not be like here in Constanța. I was 11, almost 12 years old. So, at Luminița's insistence, we ended up looking for houses for sale in Costinesti. I didn't like this idea at all. It even scared me. Together with my parents and my older sister, we visited many houses that were for sale at that time. I was holding my dad's hand very tight all the time, and there were moments when I begged him tearfully to not take this step. Whenever he asked me, I told him I didn't like it in Costinesti. But to no avail. Eventually, my parents chose and bought a small house with a lot of land.

My sister insisted a lot on this house, giving my parents all sorts of fantastic explanations. But the house was so dilapidated you could barely live in it. It needed a lot of repairs or even demolition and rebuilding. Here, we only had four rooms, without a fully equipped kitchen, without a bathroom, just a makeshift toilet in the yard, which

gave off an awful smell. I was horrified by this. I cried a lot and begged my father to get us out of that place. I felt very sad and completely disoriented. There were many discussions between my mother and my father on the subject of moving. When we finally moved completely, we discovered we couldn't fit all our furniture in that house. Even from the beginning, wanting to help my parents clean, I started to gather the objects and garbage I found around the house with my bare hands. In one of the rooms, I had an experience that has marked me ever since.

I found then a big, green snake long and thick as a shovel's handle. It was under some old things left behind by the previous owners. I was scared out of my wits and screamed for over an hour continuously. I was sweating profusely while the image of that reptile kept coming back into my memory again and again. By evening, I had a very high fever and got sick. My mother got very worried. My father told me that he had finally caught it. But I didn't see this because I immediately ran into the yard and went down the street in front of the gate, screaming and shaking in fear. The house seemed to be just like something from a horror movie. I slept in fear, lest some lizard climbed on me. There was a bad, old smell in the house. I wanted to get out of there after this terrible episode even more. But after several days, I realised that it would not be possible to go anywhere else, and I resignedly accepted the idea. So, I started living with my parents in this more than modest house in Costinesti, which had a huge yard and garden. I asked my parents to allow me to buy a dog and to keep it with me in my room. I told them that I read in a magazine that a dog can help its owner in different situations and can also find various objects and even living creatures, barking continuously until the owner comes and takes care of them.

My parents agreed. I felt safe at the thought of having a saviour friend so close to me. So, in the next few days, I received a Pekingese puppy from my father. She was a female, and I named her Lizi. She was adorable. I loved her very much., I used to bottle-feed her milk and put her to sleep next to me on the pillow. I took very good care of her. But I still felt that it was very difficult for me to adapt there to the new way of life, to the people in that village, and to the heavy ambiance I perceived. I felt like I was from another planet. I wanted

to do things that made me happy, but I didn't feel good there, not even for a moment. All my friends of the same age were in Constanța, where I was born. I missed them all. I was thinking about them with sadness and nostalgia. Here, I was alone and suffering deeply because of this change, without anyone understanding me.

A few months after we moved there, my older sister came to my parents with great boldness, presenting her plans to build a cottage for the summer season, with a restaurant, terrace, and guesthouse. She asked them to transfer half the front yard and half of the garden into her name, arguing to convince them they would make a lot of money from this business venture. So, my parents agreed and gave her the front yard and the garden. Very soon, the construction planned by my older sister started. By summer, the cottage, restaurant, and terrace were ready. This is how I ended up living right next to my older sister.

### *An unfortunate, rushed maturation*

The year after we moved, sometime in one of the first days of summer, my mother said to me one morning with a somewhat irritated tone:

– Go to your older sister because she needs someone to help her. You don't do much around here. You could do something useful... In the evening, I went to my sister's house, who asked me to help her with the business. What could I do after my mother's reproaches? I accepted innocently. My sister Luminita told me:

– I don't want to hire people from the outsiders because I don't want to lose money. So, I won't pay you either, but at the end of summer, I will buy you everything you need for school.

I looked at her with questioning eyes. She continued:

– Meaning school supplies, clothes and shoes, and everything will be new for the beginning of the school year. What do you say?

After my mother had made her morning comment, I was left alone to think about the whole situation. My father had just retired, and his pension was not much, and it wouldn't have been enough for everything I needed for school. I wanted very much to help my parents so that they would not have to spend that money on me but could invest it in food that could be stored for a longer time, and in this way, they could make some provisions for the off-season.

– Alright, I will help you.

– At 6 in the morning, you are here! She said, sending me home to bed.

So, the next day, I showed up at the appointed time. I ended the day's work late at night, after 17 hours of continuous hard work, when I lay in bed exhausted.

I helped her with everything I could. I was working in the bar every day, I was waiting on the tables, I was cleaning, I was washing the dishes, I was peeling a huge bucket of potatoes, and I was doing whatever else was needed. But those days always ended with a bitter taste and sadness in my heart. Not because of the work I was working with love, but because my sister did not behave like a sister to me anymore. She was overbearing, and she was often treating me like I was her slave. I worked day after day, all summer long, from 6 in the morning until 11 at night or even later.

The colleagues my age would relax and have fun during the summer. I also longed to go to the beach, lie on the sand, feel the warm sun on my body, and swim in the sea. The whole vacation period was a continuous over-exertion and continuous stress for me because my sister demanded everything from me without giving me a single day off for three months. Another fact that deeply affected me was the cynical Romanian saying: "*Brother, brother, but cheese costs money*", which, in our case, applied as follows: "*Sister, sister, but ice cream and sweets cost a lot of money*". I was serving ice cream, juice, and other various delicious foods to customers, and as a child, I sometimes craved those juices, sweets, or ice cream. I could only take from the products in the restaurant or bar area if I wrote down my name in a notebook made especially for this. I thought my sister asked me to write down in that notebook to keep everything in order, and not mess up her calculations. But one day, I was serving the tables. Two weeks had passed since I started working at the guesthouse, and I was already "getting used" to the daily effort. At one point, I heard a big argument close to the guesthouse where my mother's house was. My mother and my sister were having a heated discussion. I went to see what was happening. Without having the chance to say anything, my sister said to me in a sharp and authoritarian tone:

– Please leave and go back to the terrace! Then my mother reacted even more, visibly upset by her tone toward me.

– Stay here! You will not go anywhere to work for anyone, she said. We will manage with what we have. Don't worry. Your sister treats you worse than a stranger.

– But what happened? I asked candidly.

And then I saw the notebook on the table. My sister started to turn the corner.

– She asked me to pay for the juices and the ice cream written down in this notebook.

I felt like the sky was falling in on me. My sister walked towards the exit of the yard and, passing by m,e said:

– You will not write down anything in any notebook, but from now on, if you want to drink or eat, you must pay with your own money.

I was deeply affected by my sister's attitude. However, I still continued to work there due to the delicate financial situation of my parents.

So, two summers went by that were terrible for me. If all the kids couldn't wait for the summer break to start, for me, it was just the opposite. I couldn't wait for them to end so I could rest. But a big surprise was about to happen.

### *The school transfer*

In the spring of 2000, a few people authorised by the Constanta sports team came to the Costinesti middle school to make a preselection. So, many students were tested, including myself, and at the end of the lessons, much to my surprise, I was informed by the school's principal that I and another boy were the only ones selected from the school for that sports team. The principal also told me that my parents would have to come the next day so he could talk to them.

The next day, my parents came to the school, and they were asked if they agreed to enrol me at the Constanta Sports School in order to practice competitive sport, namely canoeing, and to live at the boarding school from the institute. My mother was very emotional, and she started crying. My father looked at m,e and then he said:

- It is God's answer for you, my dearest darling, knowing all that I had been through since we moved to Costinesti and how much I wanted to leave. He very resolutely gave his consent, and he signed the transfer for the boarding school and the registration for the Constanta Sports School. I moved after a few days when my father drove me in his car to the boarding school. I left my puppy Lizi in his care and asked him to take very good care of her just as he takes care of me. My father was touched. I was extremely happy that I started to live in civilisation again. I cried with happiness. I got along extraordinarily well with all the people I met there from the very beginning, with my new schoolmates who were the same age as me, and with the other colleagues from the sports team who were much older than me (who were about to become sports coaches or sports teachers), with the guards at the entrance, the cleaners, the teacher, the canteen cooks, the teachers, the trainers, and the directors. I liked going to training sessions, where I gave my best. Without false modesty, I can say that I was the best at training, but the new intense program did not give me enough time to learn, and this was reflected in my grades, which were low, and I was unhappy about that. This is what my daily schedule looked like: training from 7 a.m. until 12-12 p.m., with a 30-minute break for lunch (where I ate extremely fast because there was not enough time), and from 1 p.m. until 5-6 p.m. I had classes. I was on top of the world. I felt as if I was living

again. My new life also had another wonderful surprise. At a certain point, on my way to training, I met a very close aunt. I told her I was living in a boarding school and following the sports program. She was very happy to see me. My aunt was my mother's sister, but something happened between them and for quite some time, they didn't get along, and they didn't talk to each other. My aunt started to visit me 2-3 times a week. She lived very close to the boarding school. Every time she came, she brought me cooked food and lots of delicious sweets, which she received from her husband, who was a ship's captain. During that time, my aunt was like a mother to me. She took care so I would have clean clothes all the time. When she came over, she would take my clothes that needed cleaning and bring them back to me washed, dried, and ironed. There were times when we went out in the city together, and she would take me to the stores where she would buy me new clothes. I was happy she took such good care of me. On Saturdays and Sundays, I was free from training and school, and she would call me to come over to spend time together. She cooked for me, helped me with my homework, watched movies, and we would go out to the park. I was totally enjoying her selfless attention. She told me I was the child she always wanted but never had. She loved me very much. It was the time when her husband was on the ship, away for about half a year. I started to call my father every week from my aunt's landline after I had told him that I had met my mother's sister, and I am very happy about this. Each time, I told him how happy and lucky I am. I told him how spoiled I am by Auntie Cutica, my aunt, how many delicacies she prepares for me and how much she takes care of me. I would ask him if my mother missed me because I knew she did. But each time, he would let me know that my mother knows where I am and that I am well and this is enough for her. Sometimes, I wanted to at least hear her voice and most of the time, she said she was busy and didn't come to talk to me on the phone.

So, one weekend, I asked my aunt to go to my parents' house with me. She was hesitant because she was in conflict with my mother, but nevertheless, she accepted, and we boarded the train and left for Costinesti. When I arrived, I met my father, who was very happy to see me. He took me in his arms and held me tightly, but my mother

was very cold, distant and apathetic towards me. I was hurt because she was not warm-hearted towards me, and she told me:

– I see you have found a new mother and realise you no longer need me.

I felt hurt because she was my mother, and I did not understand what was going on with her. Maybe it was because of the strong medicine she was taking during that time. I wished she would hold me in her arms. But she didn't. She didn't even talk to my aunt. She was behaving as if she didn't even see that her there. I stayed there for just a short time. I didn't feel good during that visit, and then I told my aunt I didn't want to go to Costinesti anymore. I was surprised and very sad because my sisters and mother never came to visit me while I lived in the boarding school among strangers to see how I was, what I was doing, and what conditions I was living in. After I left my parents' house, neither my sisters nor my mother were interested in my needs, and they were not interested in me or what I was doing in school or my free time.

### *The accident*

In the spring of 2001, I was in eighth grade. After training, being in a hurry to get to class so I would not be late, I slipped and fell on the wet, freshly washed stairs and injured my leg very badly. This made me unable to take the end-of-eighth-grade sports exams, which were mandatory, so I couldn't continue going to school there.

In the summer holidays, I returned to Costinesti, and my sister put me back to work on her terrace without caring that I needed to heal my leg. I made a lot of effort then, and I was even crying sometimes because my leg was hurting badly and was getting swollen. I told my mother about this, but she replied:

– It's nothing; you are very young and will get better quickly.

I went to my father, and I told him what I was going through, and he spoke very firmly with my sister and my mother and forbade me to go to my sister's terrace. So, for two days, I stayed in bed, but my sister returned and begged me to come and help her. She even started to cry and asked me not to speak to my father because he didn't know how to deal with me. Feeling sorry for her, I still went to help her, but I didn't exhaust myself anymore. I was doing only as much as my health allowed me to. But my sister was not satisfied, and she often shouted at me. I told her that if she did this again, I would tell my father and leave. That summer was terribly difficult for me. My leg was hurting a lot, and this caused me to sweat profusely, but my sister didn't care. She said that I was sweating because of the heat. I felt very upset that she didn't understand me.

With a lot of difficulties and pain, autumn came. I transferred to Mangalia for school, starting in the ninth grade.

In the autumn of 2001, I went to the Economic High School in Mangalia. For a while, I commuted from Costinesti to Mangalia and back. At one point, I told my father that it was very difficult and tiring to commute daily in this way, and I asked him if he could find a solution. In the following days at school, talking to some of my classmates who I knew were also commuting, I found out that they had found a very cheap host and that I could do the same. They also told me where to go to ask about it. I liked this option.

A few days later, on my way to school, I went into the office of a real estate agency which was recommended to me by my classmates.

I asked if they knew a trustworthy person renting a room near the Economic High School. Then the man from the agency, who appeared to me as a simple, honest, and very amiable person, smilingly told me that he had helped a lot of teenage boys and girls who were looking for a place to stay by finding them a host at a decent price. Then he told me I could check out an old lady who lived alone, very close to my school. I accepted and got the address, and the next day, before going to the classes, I went quickly to see how it was. Here, indeed, I found an old lady who inspired kindness and gentleness. She showed me the room she had available for rent and told me the price she was asking for. I was very surprised because the rent she was asking for was very modest, even low. I was amazed and happy at the same time. Without any hesitation, I told her a definite "YES! I want to live here". In the evening, after finishing school, I went home and told my parents what I had found for the coming period. The next day, I went with my parents to my new home, and they also saw the place. When we arrived there, my parents totally agreed, and my father paid the rent immediately, for 4 months in advance, to make sure that she would reserve it for me to move there.

I was very happy, and the next day I moved in. I felt very good there, even protected because my host was kind and good to me. She would wake me up in the morning, cook breakfast for me and generate a feeling of sympathy when I saw her hands trembling while she warmed up the milk which she mixed with a little bit of water. During this time, I also found myself a small job. I was babysitting a child for two hours a day. It was also during this time that I started to do some rehabilitation sessions on my injured leg. On Saturdays and Sundays, I went home. I was very careful, saving every penny and thinking long and hard before I spent any money.

My financial situation was pretty good. I saved money from tips during the summer; I had the allowance that I received in full at the end of the year, pocket money, food money from my father, the money I received from the lady whose child I was babysitting and what my aunt was sending me from time to time.

At school, I was a bit unhappy because I didn't get into the high school I wanted, having a low average grade at the end of eighth grade, given the fact that I didn't get to study as much as I would have liked,

having a demanding schedule at the sports school in Constanta. But I wanted to prepare much better and continue with school, going to a good university. So, I was studying as much as I could until my head was spinning, and then I would go out to relax, walking alone on the seashore in Mangalia. I used to like to walk down to the harbour area. I felt as if I was disconnecting from everything when I was looking at the sea. It seemed as if there was nothing that could disturb me anymore. I liked very much to write about my emotions or different reveries which I had. This was a wonderful way to relax for me.

That's how I spent a whole year. I got along very well with the old lady I was living with. We ate together, I helped her clean the house, carried her groceries, shared with her things I bought for myself, and went to school every day. After classes, I went as fast as I could to the lady with the child, where I remained for two or two and a half hours, but no longer, and then I had time for myself. There were days when I had classes in the morning, and on other days, I had classes in the afternoon. This year, I felt just like a grown-up, although I was still very young, only 15 years and a few months old. At the end of the school year, I was happy because my average grade was very good, and I was very proud of my successful efforts. Then the summer holidays came very quickly, I might say. I didn't know if I should be glad or not. My leg had recovered very well. I could walk and stand on it normally. Before I left on vacation, I told the old lady that I was very happy that she accepted me to live with her and that I also liked it very much there and I would like to come back again in autumn if she agreed. The old lady started to cry, with her shaking hands, she grabbed my cheeks, and then she kissed me on my forehead, and she told me that she got used to me being in the house, and now it will be very difficult for her to be alone, but in the autumn she will wait for me, and the room is mine for sure.

## Images of me and the people close in my life

*My baptism and my godmother (middle)*

*Me at 1 year old*

*Me (left) at 4 year old with my niece Loredana (right) at 1 year old*

*My sister Luminița Ilie when she was younger (upper-left), my brother-in-law (upper-right), my niece (down-left) on the 1st birthday party, and me at 4 year old (down-right)*

*My sister Luminița Ilie in present time*

*My sister Florentina Iordache in present time*

*Me with some friends (I'm the one with the yellow blouse, on the left side) at the 13th birthday party*

*Together with my mother at 17 years old*

*Me, before the events of 2004*

## My first love

*Lovers don't finally meet somewhere. They're in each other all along.* - Rumi

### *My new friends*

During the summer holidays, I went back home to Costinesti, where I lived with my parents. While I was away, my father had renovated the house almost completely, and he had even built two new rooms, plus a bathroom inside the house and a kitchen. Everything looked pristine. I was very excited. My father told me at one point that he had bought a piece of land in the middle of Costinesti and wanted to put it in my name. I told him I don't know what this means but am happy. However, I noticed that my father was very pallid, even transparent, and I asked him if he felt all right. Then I noticed that he got a bit uncomfortable. He looked down and told me that his health was not good and he would have to go as soon as possible for some thorough medical check-ups. This saddened me suddenly, and I jumped into his arms and told him I would like to go with him to the appointment. He then told me that my mother would go with him and that he didn't want me to accompany him to such places in the hospitals, which are full of sick people and not such a pleasant atmosphere. I held him in my arms and asked him if there was anything I could do to help him somehow. He answered, seemingly brightening up, that he wanted to see me always smiling and know I was happy. So, playfully I told him with a smile that I would be.

My sister had opened the terrace, and I was "invited" to help her, as usual. This summer, she had prepared the terrace much better, and there were more 6-seater tables. I was going to work every day, starting early in the morning. I was doing the same daily chores: I cleaned the terrace, cleaned the tables and chairs, watered the flowers, prepared the cutlery, washed and dried the glasses and cups, sliced the bread and prepared everything for breakfast, which we served from 7.30. My sister had contracts with different schools in the country, and many students with their teachers came on vacation for 7 or 10 days. I often felt embarrassed because I was serving at the table to kids just like me. One morning, some teenagers the same age

as me, who were staying in my sister's guesthouse, had just come back from the beach after watching the sunrise. They were talking loudly and were very delighted at their accomplishment of waking up at the crack of dawn to go to the beach just as the sun was rising. They saw me working every day and started talking to me. They asked me if I had seen the sunrise, and I was amazed to realise that although I lived there, I'd never seen the sunrise. I told them exactly that.

– Come with us tomorrow morning, they urged me, and then we will clean the terrace together, they continued. When I told my sister about this, she got angry and started shouting:

– You are not going anywhere. Do you want to end up being a vagabond?

I didn't understand why she reacted like that because I was only going to be away for a few minutes, and then I would go back to work, and besides, I had helpers. The next morning, at 5 a.m., I heard a knock on my window. I got out of bed, opened the curtains and saw the ones who couldn't sleep and were going to race the sun, to see who would wake up faster.

– I can't go with you, because my sister won't let me, I told them.

– We won't go either then and will stay to help you work on the terrace.

I was amazed but also very amused. It was a little bit early, even for me.

– I am getting up at 6, I told them, and I went back to sleep a little longer.

– What needs to be done? They asked me to tell them.

I didn't want to let them do this, but the boys and girls were very insistent and told me they wouldn't leave until I gave them something to do. So, I told them to just water the flowers. They immediately all went to the terrace together.

After getting ready to start work, when I arrived at the terrace beside the watered flowers, I found everything pristine and clean. Ten teenagers my age had cleaned in an exemplary way. They said they wanted to talk to my sister to ask her to give me permission to see the sunrise together and told me they would stay on the terrace until my sister arrived.

I wished them good luck. After 3 hours, at around 9:00am, my

sister coems to drink her coffee that she asked me to prepare for her every morning. The ten teenagers went to her table, asking her to let me go and see the sunrise together. My sister got angry and, getting up suddenly from the table, she told them vehemently:

– Mădălina needs to rest. She doesn't have time for something like this. Such an outing is out of the question, as it only makes her tired. You go because you are on vacation, she continued in a "soothing" tone.

I heard the whole discussion, which made me very sad, and I started to cry. Nobody knew about my suffering. I didn't talk to my sister that day, and she didn't ask me anything at all about what had happened.

The next day, the ten teenagers came back to me and asked me if I was allowed to go to the beach and if I had gone to the beach that summer. One of the girls came close to me, comparing the colour of her tanned skin with the skin on my hand, which was as white as chalk.

– We must find a way for you to leave this yard even for an hour. Let's plan an escape.

– I cannot do that because I am afraid of my sister and don't even want to think of what will happen to me if I run away with you.

– Come on, there are ten of us, and we will protect you.

– I would like to come with you, I replied with slight resignation, but I prefer not to have any kind of problems.

There was one more day before that group of summer friends who had come to sympathise with me would leave. But on the last day, I received as a present from them a T-shirt with the image of the sunrise and a very colourful towel with an image of a beach.

Seeing this moment of adolescent effervescence happening right before her eyes, my sister, embarrassed by all this youthful exuberance, withdrew into the kitchen. One of the boys from the lively group immediately went after her and told her courageously:

– I don't want to come to this guesthouse next year because you put a girl our age to work, who worked before our eyes every day like a slave, without caring about the needs of her age. If you had just let her come with us for a few minutes, it wouldn't have been the end of the world, he said. I also told my parents what you did, and they were outraged at how you treat Mădălina.

I had become very attached to their group, and when we said goodbye, we almost cried. Their teachers also thanked me for the daily effort I made to make it better for them. So, June passed, and then July and August followed. In August, the yoga camp or in other words, the International Yoga Holiday Camp Costinesti takes place in Costinesti. I liked it very much in this summer month because you could hear very beautiful and special music from the place where the yogis gathered in great numbers for meditations. I loved it and relaxed very much every time I heard the music brought by the wind's breeze. Then, one day, I told my sister's husband, Costel, that it would be very nice if he could buy a CD of yogic music because it is very harmonious and relaxing. He got very annoyed by my idea and told me:

– What? Are you tired of manele music? You don't like it anymore?

– I never liked it, and I really dislike this kind of music for silly people, I told him directly.

– This is my terrace, and I play whatever music I want, he said.

Then he played a CD with manele music, turning the volume up. I closed my eyes and left him alone. But to my amazement, one of the speakers broke, and then Costel, upset, had to turn the music off completely.

- Because of you, my music system broke. I think you did something to it, he said for the rest of the day.

During that August month, there were certain hours when the yogis came to eat. Otherwise, it was a little bit more empty than usual. At some point during this free time, I made a large pineapple juice with fresh mint and honey in the blender and went to take it to my father. I looked for him in the house, in the kitchen, but he wasn't there, so I went to the garden and saw him sitting with my mother on the swing chair. I noticed that he was much paler than the day before, and he didn't seem to be able to move too well. I felt as if the life force was starting to leave his physical body. I walked over to them and put the juice down on the grass.

– I will be right back. I will get the glasses.

When I came back, my father looked at me, smiling. I poured the juice into the glass, and I gave it to him, and I also gave a glass to my mother.

– It is an exotic combination I found in some books, I told them enthusiastically.

My father said with sadness in his voice:

– I feel like it's the last summer we will spend together, he whispered to me.

My mother started to cry.

– Why? I asked him with hope in my voice.

– Your father has terminal cancer, my mother told me among tears of pain.

Then I sat down between them on the swing chair and took them both by the hand:

– What does it mean? What can we do? I said, looking into their eyes, pleading for answers.

– Never forget what you promised me. Smile and always be happy, he answered.

How could I be happy knowing that my father, whom I love so much, is approaching the end of his life? I couldn't understand. After a few minutes, my sister called me. I didn't hear her, but my father made me attentive.

– Go on the terrace, and don't be sad, he encouraged me.

I left very upset from them telling my sister in a few words what I had just found out. Insensitively, she replied:

– Let it go. We will all go through this. I knew about it. What can I do?

I was stunned. It took me a few moments to recover. Once again, her attitude had hurt me deeply. From that moment on, I became closed emotionally to her. I had the feeling that she was a stranger. My mother shared with me that lately, my father had been very burdened by the fact that we moved into that small and dilapidated house, and this stressed him very much, and he had started smoking up to three packets of cigarettes a day. Recently, he started coughing continuously until tears were running from his eyes. One day, he couldn't breathe, and he collapsed from coughing. When he went to the doctor, they discovered he had metastatic lung cancer. This news broke my heart. I felt so sorry for him. I prayed for many weeks continuously every night for my father to get better and that if God wanted, to work a miracle for him. After a while, I saw that my father was starting to recover, and I understood that the doctors changed his medication. I was very happy for him, from all my heart.

### *Love at first sight*

The heavy clouds of worry for my father were chased away that late August of 2002 by the gentle breeze of first love. It was then when I met Grigore Țiplea, Grig to those close to him, a handsome young man with an air of maturity in his eyes. I served a daily crowd of people on my sister's terrace. Of all those strangers, he caught my attention. There was something different about him. One evening, I noticed him as he sat at a table and for a few moments, our eyes met. We looked at each other as if we had known each other for a long time. There was a clear sense of two souls finding each other again. A very pleasant inner fire, which I had never experienced before, enveloped me. I fell in love at first sight. My sister was on the terrace having coffee. She saw that I was looking at him for a long time and that he was waiting for me to serve him:

– Mădălina, what are you doing? Go and take his order. Can't you see he wants to eat? Come on, hurry up! She shouted at me.

I walked towards him with my pen and little notebook in my hand, and it felt as if I was walking in slow motion. Everything was moving very slowly around me. I was drawn to him like a magnet. When I got in front of him, we continued to look at each other for a few moments. A deep silence settled around us. The noise from the busy terrace disappeared completely. I blinked, and he said:

– I would like a vegetarian menu.

I wrote this down, and I left. I was floating. Shivers of love overwhelmed me, a feeling I had never experienced before.

We saw each other almost every day. I enjoyed it immensely every time he came. I saw him there a few times with several friends with whom he had come to eat at our place. At one point, we started talking. I liked him; we talked about a lot of interesting topics, and sometimes I confided in him about my desires and aspirations, as I felt he was a person who understood me. He said that he was a mathematics teacher at a high school in Bucharest. Then, it occurred to me that I would like to learn at a school in the capital. But being shy, I didn't tell him that.

In September, I didn't have so much work to do, and we went out for a few walks on the beach. It was so romantic, and everything was magical when I was with him. The flight of the seagulls, the sound of

the waves breaking on the shore, and even the barefoot walks on the fine sand. I was so excited to go to the beach. Even the little ring made of a seashell that he found during one of our walks and gave to me, although I was living at the seaside, seemed part of a fairy tale with fairies and Prince Charming. I felt a new world opening up for me. The world of love, where everything became so beautiful. I told him a lot about me, including that I liked the water very much, loved swimming in the sea, and I bragged about my record of 5 hours swimming in the sea, from the first year when we moved to Costinesti. He had come to Costinesti as a participant in the summer yogi camp of the MISA Yoga School. He took me with him a few times to some lectures. On those occasions, I learned a lot of interesting aspects, which I shared proudly with my parents afterwards. On the last day of the holiday camp, he came to the terrace and told me he was leaving.

– Come to Bucharest to visit me, and we will visit some very beautiful places there. What do you think? I will wait for you, he added. I was so happy that I even promised that I would do it. Then he hugged me tightly, with a lot of warmth in his heart. That's how we said goodbye.

A very busy time followed for me. I started school again and became almost entirely preoccupied with this subject. I returned to live with the old lady who was waiting for me, and I restarted my daily activities. I was expecting to acclimatise again to the school, but everything seemed to be quite monotonous. That's why I kept thinking about Grig's proposal to visit Bucharest that he made when he left Costinesti. The mere thought of his presence caused the states of happiness I had experienced with him to suddenly reappear. A few weeks after the start of school, I told my parents that I wanted to visit a friend in Bucharest at the weekend. My parents trusted me, so they let me go.

We were both very happy to see each other again. For me, it was the first time I visited Bucharest, so when I told him this, he had the initiative to go and visit important relics and museums in Bucharest.

The time we spent together made me get very close to him and open my heart. I liked him, and I felt very good in his presence. He made me feel self-confident. We laughed a lot together. I felt happy and free. The days were very full and passed by quickly. But the time came to go back to school.

– I am sad that I will not see you, I told him.

– I look forward to seeing you next time you want to spend time together, he replied, smiling charmingly.

He drove me to the station, and we didn't say a word the whole trip. I was sitting on his right side and was sad about having to leave.

We got to the train station, and he bought my ticket. There were just a few minutes before the train was to leave, and we hugged each other tenderly and kissed each other for a long time. For me, that moment was the most intimate I had ever experienced. The first kiss of my life. Then, shortly before the train started to hiss, Grig gave me an envelope and a box wrapped in colourful gift paper. The time came when I had to get on the train. I quickly went to the window to look at him, the one I was taking with me in my heart. The train left the station, picking up speed. I sat down on the seat and felt like I was missing him already. Then, a stream of tears started to fall on my cheeks. After I calmed down, I opened the box in which there was my favourite chocolate, a small pink bottle of perfume and also a love letter with sublime verses. I read it again and again over 100 times until the train reached home. Here and there, tears of happiness covered the magical letters of my first love letter. The train pulled into the station. I kissed his signature, full of gratitude and love. And then my lips melted into his name. And then I placed it under my pillow, where I took it from, reading it again a few times before falling asleep.

The following week, every day before I went to school, I would go to the post office, where he would call me. We would talk for about half an hour, and then everything at school seemed to glow: the information, classmates, the teachers, the grade book, everything seemed like a fairy tale. A huge longing grew in my heart every day. I let my parents know that I would not come home on Thursday because I wanted to go to Bucharest again to visit a friend. My father was happy because I was getting out of the monotony of everyday life; he saw me smiling and happy and glad that I had friends. My mother became suspicious but finally allowed me to go this time, too. The week had passed, and I wanted to be with him so much! I realised that it was very difficult for me when we were apart. So, on Friday evening, I was at the train station waiting to be held in his arms.

I arrived, and I was overwhelmed with happiness. We saw each other. I jumped in his arms, and then I was holding his hand all the time. When we arrived at his place, he cooked food for me and tucked me into bed so I would be ready for the next morning to continue our trip to the places we agreed upon. I was very good and obedient. So, after sleeping all night, I was the first to wake up. It was 7 am. I was very thirsty, and I went straight to the fridge and drank almost one litre of milk. Then, I went to the bathroom and prepared to start a new day. And I took a shower using his shower gel, which smelled intensely masculine. Then I tiptoed towards him and watched how he slept on his side, so I slipped very gently under the sheet and looked at him and kissed him good morning when I got close to him. He was pleasantly surprised by my initiative and took me in his arms, saying in a sleepy voice and smiling:

– You are up very early, my dear. It seems as if those from the museums will need to adjust their schedule according to you.

I stayed in bed beside him and fell asleep in his arms until 10 o'clock. Then we had breakfast together and went out to continue visiting the places that remained on our list from last time. That's how we spent the weekend. I loved being with him; I liked his breath, and there were times when we slept together, and I stayed in such a way so that he was breathing towards me.

But nevertheless, I had to go back again because there were five more days of school. I just left because I couldn't wait to get back to him.

Several days went by. If we were not together, we spoke on the phone a lot, and in one of these conversations, he asked me if I would like to move to a high school in Bucharest. I told him I would think about it, but I could already give him a positive answer, just that it was necessary to also speak with my parents. I was very excited. During classes, wherever I was looking, at the blackboard, in my notebook, or flipping through books, the smiling image of his face was always following me.

I thought about his proposal for a few days and felt with all my heart that new perspectives would open for me if I moved there. Then, in another conversation, I told him I was delighted by his proposal and agreed. I asked him how I would proceed with the school. He said he

would look for something suitable for me. Thus, on the one hand, we could be closer to each other, and on the other hand, I would have more chances to attend a good university. However, I still hadn't told my parents anything about this. Even though I was very much in love, I thought that for the time being, it was much better to see each other only on weekends. My whole life had become like a beautiful dream. I used to go with Grig to the theatre, concerts and shows. He awoke my appetite for reading and oriental philosophy. On one of the autumn weekends in October, when I was visiting him, he invited me to the park. Grig brought me a big bouquet of very beautiful red roses. I jumped into his arms, overflowing with happiness. His presence touched me a lot. We then went on a romantic walk along the pathways painted with golden leaves. Their rustling and the touch of his hands sent shivers through my whole body. The sunset accompanied us step by step. We kissed deeply and embraced every tree we met on our way. Then, we walked happily towards the park exit. I got in his car. He was about to start the engine. I put my hand over his hand, and I squeezed it tightly. He turned towards me, and I kissed him tenderly, playfully on his forehead, nose, cheeks, lips, temples, neck, and chin. We started laughing out loud. I was extremely happy.

Then he drove home. When we got to the parking lot in front of the apartment, he said:

- I have a surprise for you!

- What surprise? I asked him.

- A very beautiful surprise, you will see! Wait for me in the car. I will be right back and take you up, he said.

Then he kissed me and ran upstairs to the apartment. I was in the car, waiting for him with excitement. After approximately 15 minutes, Grig Ţiplea returned, took me by the hand and led me to his apartment. Right from the entrance, rose petals greeted me everywhere. Lots of little red candles were lit everywhere, and soft, harmonious instrumental music played in the background. It smelled of cinnamon and vanilla. On the kitchen table was a big mountain of exotic fruits: papaya, kiwi, mango, pineapple, bananas, oranges, coconuts, lychee, white grapefruit, strawberries, and raspberries. In the bathroom, the bathtub was filled with hot water and foam.

That was the night when I made love for the first time. My feminine nature had started to awaken. I perceived a cocktail of states and sensations in his every touch. I felt as if I was in the garden of paradise. In Eden. It was such a natural and, at the same time, ecstatic feeling. Those sweet hours of ecstasy were the happiest moments of my life. At one point, we stopped to drink strawberry juice sweetened with honey. We went to the kitchen together, and I looked at him smiling, being shy at the same time. I asked him:

– Do you think I am a good student? Do you think I'm a fast learner?

– Yes, you are an exceptional student, and soon you will surpass even me by a lot, he said, smiling.

Then I remembered an episode from my life. When I was little, my parents would keep the doors open to make it warmer inside, and then, sometimes, at night, I would hear them making love, but it didn't last long. Just a few minutes, as far as I remember. Then I asked him, astonished:

– How was it possible to make love for so many hours?

He looked at me and then shared the fundamental secret of lovemaking with amorous erotic continence.

– It is also necessary to tell you something extremely important. In the tantric lovemaking that we experienced together, the man is never allowed to lose his seed, meaning he must not ejaculate, and also the woman must not lose the erotic potential either. Remember this. Moreover, during the amorous fusion, the experience of the states of orgasm by man and woman is not linked to ejaculation or explosive discharge. It is the prolonged experience of the amorous erotic fusion, crowned by an endless series of orgasmic states, not being stopped in any way by the explosive discharge in the case of a woman or ejaculation in the case of a man. Amorous erotic continence is a mysterious message of the occult sciences that comes from ancient times and forever solves the problem of happiness for the modern man. The lesson that amorous erotic continence offers us is that of an endless life. We learn to become endless. In this way, we return to ourselves, where we find the source of life. The connection between orgasm and ejaculation for the man or physiological discharge for the woman is one of the great deceptions of modern life. If this instinctive discharge occurs, we lose access to hours and hours of ecstasy every

time we have an amorous erotic experience. The amorous erotic continence harmoniously sustains the state of love in a couple. It eliminates the handicap of unfulfilled sexuality that casts a shadow upon love. The erotic, amorous relationships with perfect continence, transfiguration, and adoration in a couple sustain and amplify the state of mutual love, leading the two beloveds in the realm of endless happiness, he told me then. Just as we have experienced together today, he added, smiling mysteriously at me.

Then we returned to the bedroom, lay on the bed and fell asleep holding each other. From then on, every time we were together, we made love a lot. He was very tender and playful. He kissed me a lot. While he was asleep, I left him many notes with arrows, which led him to different corners of his house, until the one where I was writing to him and I was expressing the states of happiness he made me feel and how much I felt I loved him. I liked to invent sweet words to delight him.

My beloved practised yoga every day, especially after we made love. He explained to me about the exercises he was practising: they were bodily yoga postures, which sublimate the huge energy that is released during the amorous erotic fusion, following the process of transmutation of the potential of the procreative substance into energy. I had never heard such terms before.

– What does transmutation and sublimation mean? I asked him curiously.

– In short, the transmutation of the potential of the procreative substance means the transformation of matter (sperm for man and sexual fluids for woman) into a huge inner bio-magnetic energy. The subsequent process of moving these resulting energies and the transformation of their frequency to a superior level is called sublimation. Therefore, yogic sublimation is a complex process that triggers ample phenomena that are not apparently directly linked with eroticism but which, in fact, have the energetic resources in the force generated by the constant biological transmutation of the erotic impulses that are controlled at will.

As a result of the biological transmutation of the potential of the procreative substance, due to the conscious control of the sexual function, the original erotic impulse transforms into an almost

new, superior energy, much greater than the aspect from which it initially started, situated in new, higher frequencies of vibration, thus triggering sublimation, to the degree in which it is now redirected towards a valued aspect, which can be either vital, psychic, at the level of consciousness, or spiritual.

– Where can I learn more about this? I asked him, very curious to understand more.

– You can come to the yoga course I go to.

– Yes, I want to!

He then showed me a simple posture called *bhujangasana*, saying:

– It has an effect of amplifying the state of love in the being of the one who practices it, he described to me.

*My first love - Grigore Țiplea, whom I called Grig and also inspired me to write a diary.*

*Together with my best friend, Mirona, whom I met in 2002*

*Together with Remus Lomos to whom I got engaged and was even wearing the engagement ring on my neck that he had just given me (bottom-left). I was going to marry him, if not for the tragic car accident in which he lost his life.*

*Me with Remus, who accompanied me every time when I went there, to the Viilor Economic High School in Bucharest, where I continued my studies*

*From left to right: Mirona, me and Remus*

*On a trip to the mud volcanoes, Buzau (row 2) and to the Bucegi Mountains (row 3)*

### *Head over heels in love with yoga*

I can say that this fascinating man awoke my appetite to practice yoga. I joined the MISA yoga courses in Bucharest, where I had Claudiu Trandafir as a teacher, and Grig Ţiplea was an assistant teacher.

Yoga is the science of self-knowledge and perfection of the human being. In the West, there is sometimes the prejudice that allegedly yoga would belong only to the East, but this ancient science is neither Hindu nor Buddhist. It is a universal science. Just as we cannot say that the law of gravity belongs to the English because it was discovered by Newton, or the theory of relativity discovered by Einstein belongs to the Jews or electricity to the Christians, we cannot say that yoga belongs only to the East. Yoga is a spiritual treasure that belongs to all of humanity. Yoga helps us reconnect with the Macrocosm and opens the path to truth. Knowledge through yoga leads towards a multidimensional development of both the consciousness and the psycho-emotional aspects of those who practice it. This discipline offers concrete, practical methods that are easily put into practice. For me, yoga means also love; it also means profound communion with God.

I went to the yoga class for the first time on a Sunday morning with my beloved, who was helping the main teacher with the practical part, exemplifying each time the bodily posture or the breathing techniques the teacher was presenting. When I arrived there, my beloved took me with him almost in the middle of the yoga hall, and told me to stay and sit down next to him. We started practicing the warming-up exercises. My beloved then told me to watch him and to do as he did. The main teacher was at the front of the yoga hall, speaking about what exactly was being practised and what the first warming-up exercise of the physical body consists of. All of us present in the yoga hall practised the ample and slow clockwise rotations of the head. The teacher told us to watch how the assistant teachers in the centre of the yoga hall practice and to do the same as them. This is how I learned all the warming-up exercises by watching my beloved, who had the duty of exemplifying what the main teacher was presenting. This was done for all the first-year students to become familiar with these methods. I felt extraordinary while practising everything we were being guided

to do step by step. After the warming-up exercises, we practiced a series of simple bodily postures, including *padahastasana*, *talasana*, *and bhujangasana*, and then special attention was given to a new asana which was taught then, named *sarvangasana* or the candle pose. It was exemplified practically by the assistant teachers, while the main teacher presented theoretically how to practice it. Then we all practised it together. I was amazed as I had been doing this even before coming to the yoga class. I was practising this posture in sports competitions. I can even say that I had practised yoga for a long time, without knowing it, but now I also learned about the physical and subtle beneficial effects of this bodily posture when practised correctly, systematically, and attentively. I started to feel better and better, I can say, extraordinary even, and at the same time, very enthusiastic. At the end of the yoga class, I thanked my beloved for this pure world he had brought me into, and I then asked him to help me continue to go to this yoga class because I realised that it made me very happy, and I like this very, very much. He was delighted that I was open to this ancient practice. Then he went to speak with the main teacher and took me with him, holding my hand. At that moment, I met the man who would become my yoga teacher, who I found out was named Claudiu Trandafir. I enjoyed this moment, and I can say that I liked my new yoga teacher very much. So, I started to go to the yoga class in Bucharest every Sunday. I even started to have some preferences in terms of the asanas. For example, I liked very much to practice *suptavajrasana.* Ever since it was taught, I fell in love with this bodily posture, and after learning its effects, I was even more convinced to put it into practice as often as possible.

The yoga class lasts for about 3 hours. It consists of a practical part, which involves the practice of the warming-up exercises, a series of asanas, and complete yogic relaxation (a special method that involves the ample and profound relaxation of the whole body), and a theoretical part, which involves the teaching of a new technique every week. Each time, we practised something new and had access to a lot of utterly exceptional information you cannot usually find. I liked this very much because it enriched my knowledge permanently. The people from the yoga class are interiorised and, at the same time, joyful and happy. Here, I was delighted to discover many smiling

faces, serene foreheads, gentle voices, and relaxed, helpful, and kind-hearted people. I can say that yoga practice helped me feel happy and much more balanced compared to how I was before I started to attend these classes. I felt physically, psychically, and emotionally exceptionally good, and I became aware that I was filled with energy every time I practised these yogic techniques, and my being became more and more expanded. I started to have more self-confidence. I can say that here, in the yoga class, I felt that God is real, alive and that He exists. This is because I experienced countless extraordinary synchronicities and even paranormal situations, I could say, and these have appeared in my life since the beginning of yoga practice.

I was very happy. I could understand now what the expression "life is rosy" means. I had already started the procedures for transferring from the school in Mangalia to Bucharest. My mother had signed the papers, and at the beginning of the new year, I would move my classes to Bucharest. Meanwhile, I was coming to Bucharest every weekend to visit my beloved.

### *My first disappointment*

One Friday evening, when I arrived in Bucharest, from the very first moment, I noticed that Grig was different to the way I knew him. He was very serious and slightly tense.

– What happened? Did I upset you somehow? I asked him.

– You are wonderful; you haven't upset me at all. On the contrary, I am very happy that we are together.

– Then what is it?

– It's something more delicate.

He then awkwardly confessed about some aspects of his life that he never told me about before. I was shocked to learn that he had been in a stable relationship for 3 years with another woman, and his other beloved woman had now found out about me and our relationship. This had triggered some discussions between them. At that moment, I didn't know how to react, but I was terribly hurt that I had found out that he had someone else in his life. I felt myself becoming closed towards him at that moment.

He wanted to make peace with me. He explained to me repeatedly that if he had told me this from the beginning, I would not have opened up to him. That he loves us both. He took me in his arms; he wanted to kiss me, but I withdrew from him with a frown, turning my head away. Then, he found another solution. Wanting to take me out of this state of intense suffering that had been triggered in me, he said:

– I was scheduled to leave the country with a group of yogi friends for a natural products exposition in France. My beloved, I give up that ticket. Please go in my place. This way, you will see a foreign country and truly see the world. You will visit some beautiful places and meet some truly wonderful people there.

Against the background of the disappointment that had overwhelmed me, the idea of travelling abroad with that group seemed to be very complicated. I knew only a few girls from his group of friends, a few of his close female friends that we often met, Mirona and Diana. I met both of them for the first time at the terrace where I worked and often spent time with them when I visited Bucharest.

– I will think about it, I told him, upset, thinking I should not give up right away. If I decide to go, what exactly would I need?

– Do you have a passport?

– No, I replied coldly. And our weekend ends here. I want to go back to Mangalia right now. I don't want to stay here with you any longer.

– Stay with me. I want us to be together, he implored me, but I was ignoring him because I had closed my heart completely towards him.

– Please take me to the bus station immediately.

He drove me there. On the way, we barely spoke to each other. I didn't pay any attention to him at all.

In the minibus, I cried all the way back, angry and shocked by the news I had heard. He called me every five minutes, but I didn't answer. I even turned off my phone. Slowly, I started to calm down. I analysed the situation from all sides. He was still a good man, who had done a lot of good things for me, and the chance of leaving the country even seemed to be a good idea. The idea of going on vacation so far away, to a place where none of my family had ever been, seemed extraordinary. I turned on my phone and then thought of telling him that I was willing to go. Exactly at that moment, he called me. Then I immediately told him in a serious voice, without giving him time to say anything, that I wanted to go to France.

– I would rather enjoy this new chance that life offers me instead of suffering because of you.

– Very well, he said, slightly resigned.

I arrived home. The next day, Saturday, I went to my father and asked him to help me get a passport. He was surprised by my request. Initially, he didn't agree, he asked me lots of questions about it. I asked him to trust me, and eventually, he helped me get a passport. I was very happy at the thought of going on a trip. Shortly afterwards, I returned to Bucharest to prepare for my departure to France. Before going to the airport, I spent a few hours with Grig. He offered me some money for expenses and to buy whatever I wanted there. He wished me a safe journey and beautiful, wonderful vacation days and told me that he couldn't wait for me to come back so we could be together again. But I was still upset with him and confused. Before I left his place, our friend Diana Dobrin came to pick me up and told me that I would go with her everywhere on that trip. Even though I was about to go on one of the greatest adventures I had ever had until then, the thought that my beloved

was not really my beloved but another woman's beloved didn't give me any peace.

We left for the airport. Diana was very friendly and chatty. She told me a lot of jokes, which made me laugh until I cried. In France, we stayed with some of her French friends. The rest of the group lived elsewhere. For several days, we all got together and went to the natural products exposition. I liked it here because it had a rustic atmosphere and people seemed nicer than in Romania. I bought some body lotions, perfume essences, and organic teas.

I liked it there, but I kept thinking about my beloved, asking myself what was he doing during this time? I got very sad. During this time, Diana and I visited the most beautiful monuments, historic places, and museums. We took a boat trip on the Seine, took the elevator up the Eiffel Tower, and saw Paris from above. It was very beautiful.

When I returned to Romania, I went to my beloved, who was waiting for me impatiently. He hugged me very affectionately and asked me how the trip was and if I had a good time or was missing anything.

– I missed you, but... I started crying. He took me in his arms, and he kissed me and caressed me lovingly. We stayed the night together, and we made love.

Other days followed when we didn't see each other, and this made me feel like I was in a continuous state of agony. Only when I was in his arms did I feel relieved and calm.

The winter holidays were approaching, and I was planning how I would spend them with my beloved. But he called me and told me that he would go with his other beloved to her parents, somewhere in the provinces, and we would not be able to talk much. Hope left me at that moment. I was deeply saddened by his attitude. I was very confused by his decision. I was so upset that I told him he would have to choose who he wanted to be with because I couldn't stand this dream full of deceiving hopes.

– You will have to choose. Call me at Christmas, and if you don't call me, it means you have chosen the other one.

On Christmas Day, I waited for his call all day, even late into the night, but...he didn't call. I decided that I didn't want to see him ever again, and I didn't want to have any contact with him.

After the holidays, in January 2003, Grig Țiplea called me and told me he was in his car on his way to see me. He asked me if I wanted to get ready to go out with him because he wanted to talk to me. I told him that I didn't want to talk to him anymore and I didn't want to see him. He was very insistent. I started to cry and repeated that I didn't want this kind of relationship anymore because it made me suffer, and I couldn't stand living like this.

I suffered a lot. He was the first man I ever loved. Alongside him, I felt new horizons opening for me. He was the first man who encouraged me to be what I wanted to be, and to dare to fight for my ideals. He was the only person at that time who encouraged me in my desire to become a writer.

I felt totally supported by him in this endeavour, and I had even started to study the subject I wanted to tackle in my book. I read somewhere that the magic of first love is our ignorance, believing it could never end. I was convinced that we had found each other forever and would be together until the end of our lives. I suddenly found myself ... alone. It was the most powerful blow of life until then. It took a lot of time to heal my soul. Although I had decided that I would not see him anymore and firmly respected this decision, my heart was still yearning for him. That is why I escaped into writing, where I could give free reign to my imagination, and I wrote pages and pages in my diary with fantasies, sometimes amorous erotic ones, mixed with memories from the beautiful dream we lived together. This was my way of coping with the painful breakup with him; this was the healing I had found. In writing, I was free from the judgments of anyone, from him, from myself, from pain, from the monotony of the days without him. Who would have thought then that I would pay such a high price for the freedom I had given myself? That diary full of fantasies and extremely intimate aspects, was confiscated from me during the house search on 18 March 2004 and passages from it were published in newspapers and twisted.

Through a cunning and deceitful collaboration of Romanian authorities with the mass media, the character from my notes - my ex-beloved Grig, Grigore Tiplea, became Grieg, Gregorian Bivolaru, because it fitted the setup concocted by the authorities. In many of the notes in my diary, the initial G. appeared, which referred to

my first beloved Grigore Țiplea and not to Gregorian Bivolaru, as all the newspapers wrote at the time. Nobody from the mass media in Romania ever had the initiative, the intention, or even the curiosity to find out who was the person in my diary. I was never asked who I referred to in that diary. They only published the information given to them by the prosecutors, even though the code of professional ethics states that all information needs to be verified by two sources. Also, in 2004, when those intimate pages were published in the newspapers, Grigore Ţiplea recognised himself in those fragments from my diary and even went three times to the Public Prosecutor's Office in an attempt to give statements about the fact that he had a relationship with me and it is him in the notes, not Gregorian Bivolaru, as it was deceitfully claimed everywhere. When he was asked by the Public Prosecutor's Office employees what is he doing there, the prosecutors he spoke to told him directly that they were not interested in such a statement and they wanted and would capture Bivolaru. A few years after the events of March 2004, I found out about these aspects related to Grig Ţiplea's actions.

## *A new beginning*

> *Always try to keep a patch of sky above your life.* - Marcel Proust

On New Year's Eve, at the end of 2002, I was invited by my friend Diana to the party she organised for this occasion. She asked me to come because she had also invited many people and it would be a big party. I accepted her invitation mostly because I didn't want to be alone. I didn't want to go home because I wouldn't enjoy my time there. My parents, being older, didn't celebrate New Year's Eve and were going to bed before midnight, and I couldn't truly enjoy the celebration. My sisters were partying at their own homes, together with their close friends, and none of them ever invited me there. So, I called my parents and asked them to understand me, and I told them that this time I would like to celebrate New Year's Eve with my friend, Diana, who had organised this party in Bucharest. My parents insisted that I go to visit them. They even told me what menu they had prepared for this occasion and that they wanted me to be with them. But finally, they understood. So, I went to the party to which I was invited.

This moment is important for me because here I met the man who would become the pillar of my life, my future beloved, Remus Dumitru Lomoş. At that time, I felt very vulnerable after what happened to me. The kindness Remus spontaneously showed me from the very first moment we met was, in its way, irresistible. I felt safe being with him, and he knew how to approach me so that, little by little, I opened my heart to him. I discovered a wonderful friend in him. He had a lot of spiritual aspiration, and he fascinated me with his knowledge. He talked enthusiastically and ardently about everything he was passionate about. We had long and animated conversations, and he was always teaching me something new. From him, I heard for the first time about the concept of a spiritual guide. Remus loved and admired immensely Gregorian Bivolaru, who was his role model. Remus was very perseverant in his yoga practice. He knew a lot of information about almost everything, and I felt open to discussing anything with him. We started talking on the phone very often, even daily. Remus was very protective and understanding

and helped me immensely to heal from the disillusionment I had suffered.

When I moved to Bucharest, Remus graciously helped me with everything I needed. He even helped me find a new place to live close to my new school. My mother helped me with everything I needed to complete my high school transfer from Mangalia to Bucharest. My parents were very happy for me to have this opportunity to attend a better school in the capital.

My life was starting to follow its normal course again. I was going to high school every day. I was learning, and I was making efforts to have good grades. I was going to the yoga class once a week, with Claudiu Trandafir still as a teacher. I would also see Grig Țiplea there. We would say hello and hug, but that was all. We spoke very little. I succeeded in being at peace with my past also because Remus had become part of my life. He was making me feel happy and spoiled. He took very good care of me, offered me a lot of his time, and even cooked for me. Very soon after moving to Bucharest, Remus confessed he was in love with me. A beautiful love had started to awaken in my heart, but I was scared, still having fresh in my memory the suffering encountered at the end of my relationship with Grig. However, I was feeling safe with him, and slowly but surely, I succeeded in abandoning myself into his loving arms. I thus discovered with enchantment the complex universe of our intimacy. Remus was very romantic, gentle, and loving. With him, I discovered what it means to start the journey of spiritual evolution in a couple relationship. We started to make love, and he taught me many aspects of the mysteries of sacred eros. He was also practising amorous erotic continence, and together, in the moments of delicious amorous intimacy, I was experiencing sublime, uplifting states. We created in this way a universe that was ours. I felt fulfilled and happy with him.

He came to my house almost every day with groceries, helped me with my homework, sometimes we went out in the city or walked in a park, or we went to see a movie or to a restaurant. He would bring me cakes very often, and this made me very happy. I would sometimes go with him to his work so we could spend more time together. Then we decided on a solution to spend more time together, to give up the

room I was renting and to move in with him because he had a house with many rooms and he was living there all by himself.

This new love was a balm for my soul. I was feeling very good, and I was very happy. I was talking with my parents on the phone about school and my life. I was keeping them up to date about what I was doing. For Remus, I was his princess, and he always behaved in such a way that I even felt like a princess. This was one of the reasons he decided to renovate the house where we lived in May 2003. But because this involved intense activity at the construction site, dust, noise, and commotion, he looked for a solution so I could rest and study in optimal conditions. So, Remus asked Mirona for help because they were old friends, and he knew that Mirona lived in a house with many rooms. He asked her if she could take me in temporarily while the renovations at his house were taking place. Mirona agreed because we were already friends since the summer of 2002 when we met at my sister's terrace, where she used to come and eat. I liked Mirona from the moment we met. We became friends instantly. I soon discovered that Mirona is a trustworthy, stable and balanced person. She was very open, talkative, friendly, funny and she was laughing all the time. Mirona still remembers even now with amusement how, at the beginning of our friendship, I asked her how come she was so happy all the time and if it was because she is a vegetarian.

After all, I saw that she only ate certain foods. She then told me, laughing, that it is also because she is a vegetarian, but mostly because she practices yoga systematically, and this makes her very happy. In the autumn of 2002, Mirona was one of the girls I invited to my mini-birthday party on 13 September. I also spent time with her often when I was visiting Grig in Bucharest before I met Remus. Mirona fascinated me. She was different from the girls I knew at school. She knew all kinds of information about a lot of topics. She was full of interesting initiatives. She had a passion that I found delightful: she often came with a video camera, which she had received as a gift from her beloved. I was very excited that Mirona had that video camera, and I was always asking her to film me, and I also wanted to film her so that we would have many memories. I have, thanks to this passion of hers, various films and recordings of me and Grig Țiplea, most of them in nature, from when we went out for a walk in the park.

I liked Mirona very much and felt very comfortable around her. So, I was excited about the idea of moving into the house with her. Mirona lived in a two-storey house with another girl. They shared the house. Mirona had the three upstairs rooms, and the other person lived downstairs. I lived upstairs, in one of the smaller rooms, the most isolated, on the right-hand side. Remus made a deal with Mirona that he would pay the monthly rent to her. Remus was always bringing me a lot of food, taking very good care of me, and taking me to school. Sometimes, he spent the night with me. He also had the house keys and often surprised me, coming to see me at different times, even at night, with flowers or other presents which delighted me. It was very quiet there, and I felt extremely happy in my relationship with my beloved Remus.

I was feeling very good at Mirona's house. After I moved into the same house with her, our friendship deepened. We would go to the park, ride our bikes, and sometimes hang out together. Sometimes, we would watch a movie or eat together with Remus. I was still fascinated by her video camera, and sometimes, I asked Mirona to film me and Remus in all sorts of poses. In 2004, I gave the prosecutors all these films. They insisted that I give them the originals, but I was careful, and I only gave them copies, which, incidentally, were never returned to me, but were never taken into consideration. Once I even dared to ask Mirona to film me and Remus while we were making love. I also made this video available to the prosecutors, but because they wanted to charge Gregorian Bivolaru at any cost, they didn't admit this enlightening evidence. In fact, this is the only video from the videos I offered willingly to the prosecutors that was returned to me. None of these videos were taken into consideration as evidence by the investigators.

Long after the house search on 18 March 2004, I couldn't understand how I could be falsely accused of being the so-called mistress of Gregorian Bivolaru, when I already had a beloved whom I loved and who was madly in love with me.

I knew Gregorian Bivolaru mostly from the stories of those around me. A few months after starting the yoga course, I discovered that Gregorian Bivolaru is the creator of the courses taught in the yoga class. The people in the yoga class admire, respect, and love him.

Many of them ask him for different advice, either about spiritual practice or about their health. I saw Gregorian Bivolaru for the first time in the summer of 2002, when Grig Țiplea took me to a lecture. I was fascinated by all the interesting information I found out there, which I also shared with my parents with great enthusiasm. Then, when I went on that trip to France, which Grig Țiplea offered to me as a present, I had the opportunity to observe him closer and to speak to him for the first time, because he was also part of that group of yogis I went on the trip with. I had only started the yoga class a few months previously, and I didn't know much about him, but I remember how impressed I was by his intelligence and the fact that he knew a lot of things. He was very eloquent and extraordinarily patient. Every time the group met, when we were going out in the city during that trip, he hugged everyone with great love, both when we arrived and when we departed. He listened to all those who came to ask him something and was very generous with everyone. He was joking all the time, and everybody laughed and was very happy around him.

Then, after I moved in with Mirona, she confessed that she had been in a love relationship with Gregorian for a few years. This argument alone should give food for thought to those who claim that I had an intimate relationship with Gregorian Bivolaru. How would something like this be possible when he already had a relationship with my friend Mirona? Mirona often went out to meet him. I met Gregorian briefly a few times when he came to visit Mirona. He came rarely and didn't stay long. He just came to pick up Mirona, and then they would leave together.

In the house where we lived, we had a bookshelf with many books, some of them written by Gregorian Bivolaru. I remember asking Mirona with curiosity if the author of those books was the same person as her beloved.

– Of course, he has written many books and even has an impressive library, she answered with amusement.

– I also want to write a best-selling book, I replied with hope and admiration in my voice.

Being a dreamer with a lot of imagination, I was making up many times various fantastic scenarios. I used to make up all sorts of funny stories for Remus while I was in his arms, which I created on the spot

and which made us both laugh. Mirona told me that if I wanted to start writing, she could talk to her beloved for me to give me some pertinent advice about writing a book. I was very happy, and from then on, I began to hope that I would also succeed in writing many beautiful books.

Remus knew quite well my plans to write a best-selling book, which I dreamed would be something like Vladimir Nabokov's novel Lolita. He supported me in all my good initiatives and often asked if he could help me with something so I could start writing as soon as possible. One day, he came up with an idea to help me boost my creativity and told me that he had found a certain play method of communication in a psychology book called "As If", which involves taking on roles. He brought me more to read about role-play and the therapeutic method created by Dr. J. L. Moreno, and enthusiastically told me what he had read about psychodrama and imaginative play, giving me some time to also study those materials myself.

– What do you think? Remus asked me.

– It's a great idea! I answered delightedly. And how do we play it? Just the two of us?

– We can do it this way too, but for variety and complexity, we can also invite other friends, Remus told me.

– How did you think of playing? I asked him curiously.

– We assume some fictional roles and then communicate by phone or internet as if being completely in the role of the previously established character.

– I like it very much, let's do it, when do we start? I asked him impatiently.

– Wait a little, let's think about who else would like to play it. We will ask Mirona, maybe if you want some of your schoolmates and my sisters. We let them know, and then we start as soon as possible, he answered enthusiastically.

I met Mirona that evening and explained our idea regarding the book I wanted to write.

– What do you have in mind? She asked me.

– First, we create a game that will stimulate my creativity for writing a book, which will be entitled "As if, as when", telling her in detail what it entails.

A few days had passed since our discussion. One evening, Mirona came to me and said she liked my idea so much that she asked her beloved Gregorian if he would like to participate in this game. She also told him about the fact that I wanted to write a book based on this game, and he told her that he could help me. We all played this game, completely innocent in its way.

Because I felt completely safe with my beloved Remus, in some phone conversations I had with him, I dared to also describe some amorous fantasies I had. We laughed a lot when I did this, and then I waited for him longingly to meet me and make love. This kind of freedom of expression I only allowed myself with my beloved Remus. It wasn't until many years later that I found out the SRI recorded all those phone conversations under the pretext that I was a threat to national security, and then they took them completely out of context and gave them to the prosecutors who used them as decisive evidence to charge Gregorian Bivolaru for the alleged intimate relationship with me. In the trial, they said that those intimate conversations between me and Remus took place, allegedly, between me and Gregorian, which is completely false.

Although I denied all this, my testimony was not taken into consideration. I was labelled as an unstable and unreliable person. My beloved Remus, who knew exactly the whole situation and could have shed light on it, was thrown out of the courtroom at the trial, and his testimony was rejected despite the insistence of the lawyers. The sad memory of those moments is another proof of the injustice of the Justice system here in my country, Romania.

## My shocking encounters with death

*Death ends a life, not a relationship.* - Robert Benchley

### *My father's death*

I knew my father was sick. But the moment he left the physical plane, on 30 July 2003, left a deep mark on me. I continuously cried after I heard the tragic news. Remus and Mirona decided to come with me to the funeral. We all packed a small bag and went by train together to Costinesti. On the way, I reminisced about the happy moments I spent with my father. I was tearfully recounting some of them. I was very upset and distressed, and I couldn't stop crying.

Remus comforted my aching soul. He was affectionate and protective towards me. He held my hand all the way, wiped my tears, caressed me, gave me food and fed me himself, and repeated that I was not alone and would be there for me in any life situation. I felt that this event made him even more responsible for me. He gave me total confidence. So, we arrived in Costinesti with Remus and Mirona. In front of my parents' house, a feeling of despair came over me. I was crying out loud. Remus held my hand and said:

– I am here for you with all my being, my love. I am here with you.

We entered the courtyard. I was holding Remus tight by the hand. Without looking left or right, I went straight inside the house. I entered one of the rooms, and I saw my mother sitting next to the coffin. There were about 20 people there, and many lit candles around his head.

I approached the coffin. I saw the lifeless body of my father for a few moments. I felt a profound state of love for him, like a very powerful sensation of heat radiating from my chest towards him. In those moments of overwhelming emotion, I could simply see a bright white light bursting out from my chest and my head, enveloping his lifeless physical body like a cloak. My father was lying down on his back with his hands crossed on his chest. He didn't have that pallor of a deceased being. He seemed to be asleep. His eyes were closed. A coin had been placed over each eyelid. I closed my eyes and gently touched his hands with my right palm. I felt his hands were cold. I felt a strange vortex of energy that seemed to absorb me in the

lifeless physical body. Then suddenly, that very intense state of love manifested itself again, followed immediately by the manifestation of the bright white light, which now became almost blinding. I sent him that love that I felt for him, asking him to seek to also feel that godly light that I could feel then, thinking that it could help him in the world beyond. Subtly, I felt something astonishing. It was like his subtle vital energy seemed to come back into his physical body. This moment lasted for more than a minute, during which I had my eyes closed the whole time.

– Oh, Sile wakes up, my mother cried out in shock.

I suddenly opened my eyes, and I looked straight at his face. Short sounds of fear could be heard from those present there. The coins placed on the closed eyelids had fallen off on both sides of his head. My father looked at me with his eyes wide open, from beyond this world. I panicked and ran away into the courtyard. I was breathing heavily and trying to calm down. The windows to both rooms were wide open. Shouts could be heard from inside.

– Sile, wake up! Wake up! I could hear my mother shouting desperately.

– Calm down, my dear. He is not coming back. Let him go, Aunt Elena soothed her.

– I don't want to bury him anymore because he will revive. I saw how he opened his eyes. Mădălina, come back and help your father because you can bring him back to life. I entered the house at my mother's call but stopped at the entrance.

– Please calm down and let him go into the world beyond, I told her.

My mother couldn't stop kissing him on his face, caressing his hands and physical body, crying out loud.

Her face was full of tears, and she looked exhausted. I went towards her with tears in my eyes, and I hugged her tight. She looked at me and began crying even harder. She held me tightly, and in a meek and almost choked voice, she said tearfully:

– How much your father loved you, how much he loved you...You were his favourite child, the youngest and the most loved. How much he loved you...Every time he received something, he thought about you because he wanted to give you everything he had.

The pain was even more powerful when I heard her. Remus and Mirona were close to me. I asked them to go out. I went out of the house and sat in a chair which was in the courtyard. My sisters, almost 20 years older than me, were chatting with pathos. They walked toward me, and I felt as if they hugged me formally. I noticed that they were not affected at all by the tragic situation our family was going through. I was shocked by the fact that they were not moved by the death of my father. Then I thought: Did they love him? I felt it was a terribly painful moment for me.

– We need to talk about how we will proceed with the succession of the house, Luminita, my older sister said solemnly.

This is incredible! What were they thinking about at that moment…I later found out, to my astonishment, that my sisters were actually very concerned about the inheritance, more specifically with my share of the inheritance. They told me:

– Would you sign a document stating that you give up your share of the inheritance? You are young, and you don't need it now anyway. I was listening to them in shock. They continued;

– And when you grow up, we will, of course, give you a room in the house, if you need it at some point.

They didn't care at all about me, my father, or my mother. On that very sad day for us, they were pressuring me to sign some papers that showed that I didn't want the share of the inheritance that was due to me, according to the laws in place. Shortly after, my mother came, took me aside, and we went together to the garden on the swing chair.

– Look what Luminita and Florentina said. I told her about the discussion we had together.

This made her very upset.

– I won't sign anything that they want, I said.

– Of course, my dear, this is what you should do.

Remus and Mirona came close to us.

– Who is the boy who came with you?

– A very close friend, I answered, feeling that was not the time or place for further explanations.

My mother knew Mirona from last year.

The priest came to perform the specific ritual service. My mother went hurriedly to greet him. I stayed a few moments in the swing

chair with Remus and Mirona, and I thanked them for being there with me because I felt their presence supported me. I asked them what impression my sisters had made upon them? Remus was very protective, took me in his arms, and said I made a good decision regarding the inheritance.

We joined the ceremony, which was quite short, and then my mother asked Remus to go first in front of the procession, holding the wreath. Then, I was left with my mother and Mirona, riding in the car together to the church near us. My sisters also got into the car and looked at me strangely. At the church, my sisters pulled my mother aside and said something that made her scold them. Then, she immediately left them and sat on a chair next to the coffin. It was very hot outside. Perfect clear skies. After the service in the church was over, on the way to the cemetery, I felt a sharp sensation of thirst. Out of the deep blue, cloudless sky crowned by the sun, it started to rain very lightly. Then, one of my father's sisters handed me a glass of water without me saying anything. I rejoiced very much, and I received it. I thought then that my father heard my wish and took care of me.

We reached the cemetery, and this was the last moment I could see my father for a short while. It was terribly hard for me. I never thought I could suffer so much. I was crying, and I could not contain my tears. Then, a wave of cries and sobbing began. I was close to my mother, who was exhausted.

After my father's painful and dramatic funeral, countless tensions appeared in the family because my sisters wanted to push me away from the inheritance. The inheritance in question included my parents' house and a plot of land in the middle of Costinesti. My sisters spoke between them and even succeeded in putting themselves between my mother and me. I had the feeling that everything about me bothered them, even the fact that sometimes I sent money to my mother for my father's medicine when he was seriously ill. The devious way they behaved, exactly then, at that tragic time, when it was more important for them to become the owners of a plot of land in the middle of Costinesti resort and our parents' house, affected me terribly. I felt that my sisters had shown an inappropriate attitude and were completely insensitive because, exactly during the funeral, they were thinking about what to do to sell that land and not give me

a penny. This is what was hidden behind their so-called love and care for me, their little sister. That year, I didn't go home during summer to work at my sister's terrace. Because of this, and because I didn't agree to give up my share of the inheritance, my sisters succeeded in turning my mother against me and convinced her to file a complaint to the Costinesti police stating that I had distanced myself from her because I was attending the MISA yoga course and because of Gregorian Bivolaru.

The aggressive press campaigns against the yoga school and Gregorian Bivolaru fuelled their hatred towards me and the new life I had chosen. The local police investigated, and the complaint was dropped. In August 2003, I went to the Costinesti police, where I showed the transfer papers to the Economic High School in Bucharest, papers signed by my mother in December 2002, and I explained that although I attend the yoga class, I have no direct connection with Gregorian Bivolaru. Thus, the judicial Police from Costinesti closed my mother's complaint in August 2003. The report from 22 March 2004 by the same Costinesti police officer confirms again the resolution and closure of the file from August 2003. My mother became convinced of my sister's bad intentions after her guardianship was revoked in April 2004, and I was assigned to Florentina's care. Moreover, when my mother came to Constanța to my sister Florentina to see me, while I was detained there, Marian, her son-in-law, didn't allow her to contact me, and he beat her until she fell to the floor and peed on herself. My mother even filed a criminal complaint against her son-in-law for that episode when he beat her violently.

The prosecutors promised my sisters various rewards in exchange for their false statements. They easily fell for the prosecutor's tricks because they were envious of me and greedy for money and were willing to sacrifice me. For years in a row, they blackmailed me in the hope that I would pass on my share of the inheritance to them. My middle sister Florentina was very obstinate and terribly upset with my parents because a few years back, half of the land where my parents' house was located was put in Luminita's name. Thus, her share of the inheritance was drastically reduced. Florentina came to Costinesti at my mother's insistence a few weeks before my father's death. She never witnessed any of the events from my adolescent life. Yet, she

considers herself to know everything in the statements she gave to the prosecutors. Several years later, she admitted in court that she was not around during my adolescence and that everything she said was at the behest of the prosecutors in Bucharest.

My sisters gave false statements against me during the trial, which I was dragged into unwillingly. Their false and venomous testimonies affected not only my life but the lives of many other innocent people. But all their statements can be easily proven as being false. They don't even know how long I lived in Constanta at the boarding school, let alone other more intimate aspects. After many years, my elder sister, Luminița, came to me and asked for my forgiveness for all the harm that she had caused me, but my middle sister, Florentina, still to this day doesn't want to see me, telling my mother that I am not her daughter and in fact not her sister either.

### *Remus's death*

Many difficult years have passed since then, marked by suffering and trials. The most tragic for me was the loss of Remus. This exemplary man had been with me continuously throughout the years following the brutal searches of 2004 that marked my life, during the years of endless court trials and continuous abuse by the authorities, in my moments of deepest despair, fear, and depression. He would still be with me today if, in 2014, he had not died in a tragic accident.

In May 2014, I was together with my beloved Remus in the international yoga holiday camp from Băile Herculane. One of Remus' sisters, Dana, was also in the camp with her beloved. Remus and I were living together at the Roman Hotel in the resort. We liked this place very much because it was more secluded and peaceful than other places. When we opened the window, we could delight our ears with the sound of the Cerna River and the songs of the birds. It was an absolutely superb place that we both adored. In the hotel, on one of the floors, there was a rather large pool with sulphurous thermal water. So, every morning after we woke up, we went swimming. We stayed in the pool until our skin wrinkled.

Then we would go and shower together with lots of foam, and this game would become sensual, very exciting, and then turn into transfiguring, passionate, and ecstatic amorous erotic fusions, performed with continence, which lasted for many hours. It was as if we were in sweet, continuous drunkenness. We couldn't get enough of each other. My beloved manifested a state of virility that polarised and profoundly fulfilled me on multiple levels. After these intimate and mutually loving moments, we had a daily spiritual program that we did together. Then we would go to the hotel restaurant and order many courses, and before the food arrived, we would kiss each other as if we wanted to eat each other. We held hands a lot. We were together all the time. We were ecstatic and overwhelmingly happy. During that holiday, we bathed in all the outdoor natural thermal pools in the resort. Dana, Remus's sister, took pictures of us almost continuously. We laughed a lot, and everything around us took on a deeply optimistic tinge. We loved swimming, but even more, we loved spending time privately, just the two of us. We hiked in the mountains

and attended the spiritual program at the yoga camp. I felt happy. Remus was overwhelmingly attentive to me every moment.

One day, we were in the hotel room. He told me then that he wanted to go together on a much more beautiful vacation than this one, somewhere in Greece, but for this, he needed to make more money. He told me that he was invited to be a driver for a few days on a car that was about to leave the country for a city abroad. I didn't like the idea when he told me. A strange tension came over me, and I didn't want him to leave. I told him that I liked it so much here on holiday, right here in Romania and that I didn't want to go anywhere else. I told him that it's so much nicer here where we feel so good together. He was still adamant about the decision he had already made. I jumped into his arms and started crying so he wouldn't leave me alone. I asked him:

– What will I do without you? Who are you leaving me for? What will I do without you? He looked at me coldly, as if with glass eyes. I told him not to look at me like that because he scared me. If you've already decided to leave, I won't object, I said resignedly. But you could have let me know and let me have my say. I just want to tell you that I don't want you to leave and that I will miss you very much and suffer terribly in your absence.

Then he showed me a lot of gentleness, he took me in his arms, kissing me passionately and embracing me affectionately, and we started to make love. Afterwards, we held each other tightly, and I started to cry again, asking him to call me very often because I would not be able to go on without him. His reply was:

– You must be strong. You must become just like a heroine!

Then he kissed me deeply, stood up, and started to get ready for the road. I was in bed in the crumpled sheets and watched him, half delighted as he walked naked around the room and half sad that he was going to leave. He asked me to help him pack. I refused in a feminine way to do so because I told him I didn't want him to leave. So, he would ask me where his various things were, and I would just tell him briefly while looking at him. I then got up from bed sensually, being completely naked, walked over towards him and hugged him, feeling that I was doing this with my whole being. Being receptive to me and the state I was in towards him, he stopped packing, and

we started making love again. After a while, the phone rang. He then said we had to stop as he would have to leave. I understood and did not intervene in any feminine way to stop him from doing what he wanted to do. The time for him to leave came quickly. I was already starting to get used to the idea that we would be apart from each other for a while. After he left, I put on his shirt, fell asleep, and didn't wake up until morning. The next day, I called him as soon as I woke up. He didn't answer. I was upset at first, but then I started to worry. I called him again after a while, and he didn't answer me then either. In the evening, I got a call from Dana, his sister, who had called me and couldn't talk because she was crying.

I asked her what was going on. She told me with difficulty that she had just found out that Remus had been in a very serious car accident on a highway in Germany and was now in a coma in a hospital there. I had the feeling that everything was going black around me. I felt like I was going to collapse. I experienced an extraordinarily strong state of shock. I panicked, started shaking, and wished that the news I had just received was not real. I couldn't breathe, a terrible state of shock took hold of me, and a state of panic set in, which lasted for a long time and during which I couldn't say a word. I was crying, and my breathing was chaotic. Dana realised I was in a terrible state of shock and said she wanted to come to me if I wanted her to. I could only say in a choked tone, "Yes". After less than ten minutes, she arrived. We both stayed in our room until the next day. I couldn't sleep a wink all night

In the morning, we were called and updated on what was happening with Remus and the other people he was in the car with. Two more days passed with no improvement in his condition. I cried continuously, couldn't eat, and felt lost. The next day, I was informed that Remus had been declared clinically dead and would have to be transported home. I lived in a continuous state of shock. I could not recover. We needed a special type of car to transport him to the country. We started to search the internet for cars that do such services so we could bring him home. We were both crying continuously. It was terribly hard for both of us.

Then we said we would have to get help from someone who was not so affected by this situation. So, Dana called her beloved and asked him

to help us in this terrible situation. Her beloved was very helpful; he made phone calls and managed to get a special car for transportation. The journey took another 12 hours, during which time we were able to go to Bucharest to make the necessary funeral arrangements. We arrived at the house where Remus and I lived in Bucharest. I went inside, and a state of nostalgia and pain overwhelmed me. I couldn't do anything. I fell on the floor, and after a while, I fell asleep crying. After more than 4 hours, Remus's sister woke me up. She had come with her beloved and some friends to decide how we should proceed and organise everything as needed. I was not able to do anything. I felt completely blocked, although I wanted to help. Then Dana said they would care for everything, and I would have to rest and recover. So, they took care of everything needed in this situation. Then, the moment when I saw him followed. He was taken directly by hearse to the Cernica Monastery chapel. It was the most painful moment for me. I could not contain myself. I was crying all the time, and my whole body was shaking. I was close to him. I looked at him, and I had the feeling that he was asleep. He was dressed completely in white and seemed like an angel. He seemed to be smiling. Then I touched his hands and I had the feeling that they were extremely delicate. I kissed him on his forehead, and I said in my thoughts:

I love you very much, and you will remain in my soul forever.

At that moment, many memories of the beauty and harmony we spent together, hard to describe in words, were unfolding in my mind. I realised that he was a model for me. He was the pillar I leaned on in the most difficult moments of my life. I never heard him say it was hard for him, whatever the situation. He was with his whole being by my side, being overwhelmingly caring and honest with me. He was the only being who never made me suffer. He loved me as I was. He complimented me very often. He was attentive to me all the time and showed his intense feelings of love for me. We had, I can rightly say, an amazingly beautiful, harmonious, exhilarating, happy, profoundly fulfilling, and spiritual couple relationship. Then came the moment of my final separation from him in this lifetime. It was terribly hard for me, and I was suffering unimaginably. I felt him very present beside me, and a feeling of peace enveloped me. I felt him as he really was. The state of love I felt for him was growing stronger and stronger.

I said goodbye to him, and I thanked him for taking care of me in every way, for protecting me, for being by my side in all moments of my life, both in the beautiful moments as well as in the less pleasant ones, for raising me and loving me ardently so much, for so many years. Remus was an exemplary yogi. He worked hard so I would have everything I needed and was always there when I needed him. Many times, I confessed to him that he was a perfect beloved for me and that he should teach other men how to behave in their couple relationships with their beloved women. He often said that I am his muse and that I inspired him to create a group for men where they can all learn together to be real men, the *Mahavira Ananda vira* group. The *Mahavira Ananda* group, created by Remus, remains one of his most important achievements. It is the largest *vira* group in the MISA Yoga School, with over 800 men currently enrolled, both in Romania and abroad.

*Me, after 2004*

*Mirona Farcași, my good friend*

*Grigore Țiplea, my first lover*

*Remus Lomoș, my second lover who had also become my fiancé*

*My lawyer Adina Solomon*

*My lawyer Cătălin Georgescu*

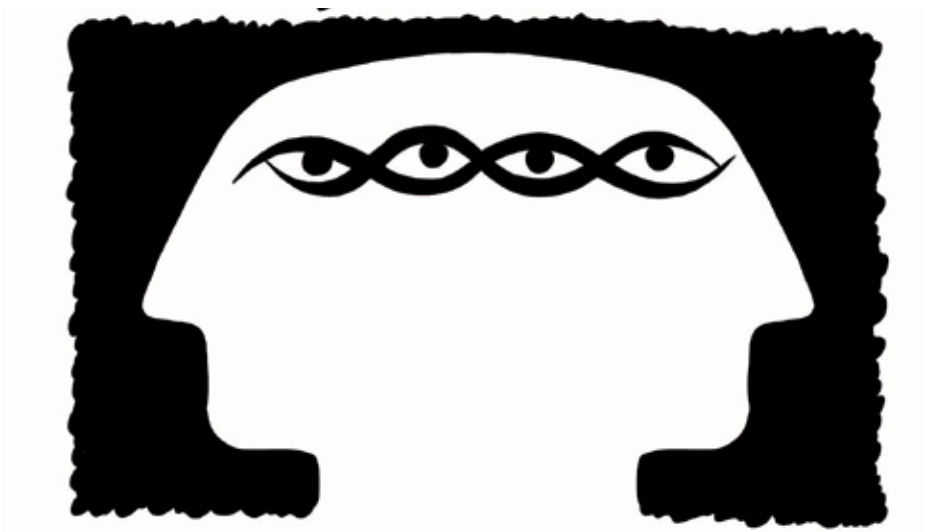
*In memoriam: my ex-fiancé Lomos Remus Dumitru in various hypostasis from his life*

*The tragic car accident in Ulm, Germany in which Remus was seriously injured. Image from the scene of the accident.*

*In the end, Remus died as a result of the car accident. Image from his funeral.*

# ROMANIANS

## LET'S BE UNITED
## AND TAKE A STAND
# AGAINST
## JUSTICE BY ORDER



## IN THIS COUNTRY!

# III. SHOCKING, LITTLE-KNOWN LEGAL ASPECTS

*Many remark justice is blind; pity those in her sway, shocked to discover she is also deaf.* - David Mamet

## The abject, surprising tricks of Romanian prosecutors

*Freedom for the wolves has often meant death to the sheep.* - Isaia Berlin

It was only several years after the events of 2004 did I understand why that false statement that I had signed under immense pressure, being profoundly scared and disoriented, was so important to the investigators and why so much abuse and pressure was exerted afterwards so that I would not be allowed to speak the truth about how the false statement was obtained.

On 18 March 2004, over 300 gendarmes and prosecutors forcibly entered 16 houses belonging to yogis of the MISA Yoga School, including the house where I was living at that time. It was announced in all the newspapers as the launch of "*the greatest operation against drug trafficking and human trafficking from post-December Romania*". None of these accusations could be proven, despite the dozens of trucks of so-called evidence (read thefts) collected by the prosecutors and despite the fact that the MISA Yoga School and its leaders had been under surveillance for more than 10 years by the Secret Services, before the brutal actions of 18 March 2004 had been launched. Actions that cost the Romanian State more than 2 million euros. The statement that was forcibly taken from me was the only way that they could incriminate anyone after the action on 18 March 2004. A legal file was opened against Gregorian Bivolaru in which he is allegedly accused by me of sexual relations and perversions criminalised by the Penal Code. I thus became an injured party against my will, despite the fact that the day after the searches, on 19 March 2004, I withdrew my statement that had been forcibly taken from me the day before. Although at no time the question of my state of mind was raised, the voluntary statement of 19 March 2004, which

I defended on all the court dates in which I was present, was not taken into consideration.

Despite the fact that I told the truth immediately after 18 March 2004, as well on every occasion since then, including how I was forced to sign that false statement on 18 March 2004, the Public Prosecutor's Office of the Bucharest Court of Appeal ordered on 26 March 2004 the criminal prosecution against Gregorian Bivolaru for the crime of a sexual act with a minor. Given the fact that I was 17 at that time, and at that age, I had, according to the law, the right to sexual consent, the claim that I was a minor was not enough to prosecute Gregorian Bivolaru. That is why the Public Prosecutor's Office made a further deception and invoked Article 198, paragraph 2 of the Penal Code, which punishes the sexual act "*between a minor and a tutor or curator or supervisor, caregiver, doctor, teacher or educator, using his/her status, or if the perpetrator abused the victim's trust or the authority or influence he/she had upon the victim*". So, although Gregorian Bivolaru is a yoga teacher, he was never my yoga teacher. My teacher in the yoga class I attended was Claudiu Trandafir.

During the house search on 18 March 2004, all my personal belongings, school books and notebooks, diaries, and all the notes and slips which I had were taken away. Among all of this was my diary full of adolescent erotic fantasies that I had written down privately, in which I often made reference to my beloved G or Grig. This match between my first beloved's name, Grigore Țiplea, and that of Gregorian Bivolaru was a godsend for the prosecutors. They indiscriminately offered these personal notes from my intimate diaries to the press, who published them again and again, together with images of me from the search, in which I was almost naked, as the ultimate proof of the alleged relationship between me and Gregorian Bivolaru. None of the journalists who published those entries from my personal diary asked me for my point of view, and I never had the opportunity to defend myself against these attacks. It was no use telling the prosecutors that it was about the first man in my life, Grigore, whom our close friends and I call Grig, and that he is able and willing to confirm everything I say. Grigore himself went to the Public Prosecutor's Office a couple of times to give statements, but the prosecutors didn't want to listen to what he had

to say because it didn't fit their Machiavellian plans. The "hunt" for Gregorian Bivolaru was in full swing. On 28 March 2004, Gregorian Bivolaru was at Nădlac customs because he had planned a trip to Hungary. While he and one of his friends, Ferec Zsolt Farkas, were in the customs police building in order to legally cross the border, some people dressed in civilian clothes came and forcibly removed them from the building, dragging them outside. They were photographed and then arrested for attempted fraudulent border crossing. The setup Gregorian Bivolaru was subjected to was exposed by some witnesses present in the customs building, who had no connection with the yoga school and who described and even stated on TV that they saw the yoga teacher being dragged out of the customs building while he was photographed by many people. Gregorian Bivolaru and his friend were arrested, taken to jail in Arad, and then moved to Bucharest, where on 30 March 2004, the Bucharest Court decided to put the two defendants in jail for 29 days for attempted fraudulent border crossing.

This crude setup was served to the population with the complicity of the press, which broadcast in those days the fake news that Gregorian Bivolaru was forbidden from crossing the border, meaning that he could not leave the country. In reality, there was no interdiction at the border for Gregorian Bivolaru. In fact, there was a border crossing interdiction for Gabriel Bivolaru, the ex-PSD (the Social Democrat Party) MP, who was sentenced in absentia to 5 years in jail for stealing 50 million euros from the Romanian Development Bank. The fact that the two had such similar names was exploited to the maximum by the press, which often "mistook" the name of Gabriel Bivolaru, who was convicted by the courts, with that of Gregorian Bivolaru, who, at least theoretically, should have benefited from the presumption of innocence.

Following the decision to arrest Gregorian Bivolaru for 30 days, his lawyers appealed. Following the appeal hearing on 1 April 2004, the Bucharest Court of Appeal ruled that the Bucharest Court did not have the jurisdiction to rule on the preventive arrest warrant, and the 24-hour detention order had expired, ruling that the two men should be set free. Despite this decision, Gregorian Bivolaru was still jailed illegally for a further 10 hours in the Police Headquarters jail. In 2017, the European Court of Human Rights (ECHR) ordered the

Romanian State to pay 7,000 euros to Gregorian Bivolaru for having been illegally detained, following the decision to release him from custody as ordered by the Bucharest Court of Appeal on 1 April 2004.

This was on the morning of the same day of 1 April 2004 when I went again to the Public Prosecutor's Office with my lawyer, Adina Solomon, and my beloved Remus, to give a new statement about how I was forced to sign that false statement of 18 March 2004. I was forcibly taken from the Public Prosecutor's Office to the IML. From there, I was kidnapped and brought to Constanța, where my family, in cahoots with the authorities, detained me. I remained in my family's custody until 22 April 2004, when I managed to escape. After 13 September 2004, when I turned 18, I was with my beloved Remus.

On 25 February 2005, through my lawyer, I submitted a complaint to the Romanian Minister of Justice about the misconduct of the prosecutors who investigated my case. On the same date, I also submitted a complaint to the Public Prosecutor's Office about offences committed against me by prosecutors and police officers. Prior to this, my lawyer filed another complaint against the Chief Prosecutor of the Bucharest Public Prosecutor's Office, specifying that the prosecutors refused to hear me when I asked to reconsider the complaint against Gregorian Bivolaru and that I was detained, together with my lawyer, for many hours in the IML building. And subsequently, my lawyer was manhandled by the police special forces and forcibly separated from me. These were the first in a long line of memos, requests, and complaints that I have submitted over the years and which remained unanswered. Hundreds of protest rallies by yogis of the MISA Yoga School, who picketed state institutions such as the Public Prosecutor's Office and the Supreme Council of the Magistracy, demanding justice and punishment for the abuses committed during the abusive searches of 18 March 2004, and the return of the unjustly confiscated property, also went unanswered.

## I was a witness at the trial in Sweden

*If you are neutral in situations of injustice, you have chosen the side of the oppressor. Desmond Tutu*

Being convinced that he would not receive a fair trial in Romania, where the authorities have committed countless abuses to put him behind bars at any cost, Gregorian Bivolaru fled Romania and took refuge in Sweden, where on 22 March 2005, he applied for political asylum. At the second meeting, Gregorian Bivolaru had with the Malmo Immigration Office regarding his application for political asylum, on 4 April 2005, he was detained by the Swedish police. According to Swedish legislation, the asylum seeker is under Swedish police protection and cannot be extradited without a review and judgment of his case by a Swedish court. As there were two international arrest warrants in his name, Gregorian Bivolaru voluntarily agreed to be detained by the police until the investigation and judgement of his case was completed in Sweden.

On 11 April 2005, the Romanian Ministry of Justice applied to the Swedish State requesting the extradition of Gregorian Bivolaru to stand trial on charges of committing sexual acts with minors between 2002 and March 2004. The application referred to an arrest warrant issued by the 5th District Court on 31 May 2004. The arrest warrant was based on the statement that was forcibly taken from me on 18 March 2004. Because the prosecutors were afraid that this trumped-up charge would not be upheld, the Romanian Ministry of Justice submitted a second request of extradition for Gregorian Bivolaru on 26 April 2005 for a new false accusation, namely human trafficking. Specifically, this accusation misrepresents an ancient form of yoga, *karma yoga*, as human trafficking. It is notable that for the first time in Romanian judicial history, the crime of human trafficking is applied to something other than prostitution. The second extradition request referred to an arrest warrant in the name of Gregorian Bivolaru, issued by the Bucharest Court, Section 1, Criminal Cases, on 15 April 2005. This second politically fabricated file was desperately put together by the prosecutors, whose dirty games I did not play because I maintained on every occasion the truth about the coerced confession I was forced to sign on 18 March

2004, which was the only so-called evidence they managed to gather against Gregorian Bivolaru, despite the huge and extremely costly efforts the Romanian authorities made. Another huge abuse is that on 7 May 2005, the Romanian authorities put a seizure order on 70 properties belonging to the yogis: houses, apartments, studios, storage, parental homes, and foundation headquarters. The prosecutors cited the need to cover the damages claimed by the seven false witnesses in the human trafficking case, who were seeking 8 million euros in damages. The properties were not evaluated according to the law.

Sweden's Supreme Court thoroughly researched Gregorian Bivolaru's file, requested a report from expert Karl Eryk Nylund, and also requested my deposition. On 21 October 2005, they decided to release Gregorian Bivolaru, and on 22 October 2005 refused the Romanian extradition request. On 31 December 2005, Gregorian Bivolaru was granted asylum in Sweden.

The trial in Sweden, in which I was also asked to make a deposition, took place on 11 and 12 October 2005. Hardly a year and a half had passed since the fateful date of 18 March 2004. My public life had been destroyed. I decided to live a very private life, staying indoors for weeks on end. Hundreds of news reports showing pictures of me and accompanied by comments made in a degrading way, built an even more terrible prison, that of the Romanian people's consciousness, of the consciousness of Romanian society, which this time had walled me off.

"Exiled", I arrived in Sweden, the place where justice was truly given to me for the first time. The Swedish Supreme Court - the only institution that, up to that point, had behaved fairly, objectively, and irreproachably towards me. For the first time since this travesty began, someone was willing to look at the facts with discernment and fairness. So the truth soon came out, and the Swedish Supreme Court easily dismantled the Romanian prosecutors' set-up and manipulations. Gregorian Bivolaru was released, and the extradition request was rejected. The decision was final and irrevocable and could not be contested by the Romanian State.

The trial in Sweden took place in maximum security conditions for two days. Access to the courtroom was allowed after all the people had passed through strict security checks. Access to the

courtroom with electronic devices was not allowed, and the public gallery was separated from the judges and the yoga teacher by a bulletproof screen. Gregorian Bivolaru was asked if he agreed for the hearing to be open to the public, and he agreed but asked that journalists should not be allowed to make recordings.

During the first part of the trial, he was informed of the charges that are the basis of the extradition request sent to the Swedish authorities by the Romanian authorities. Gregorian Bivolaru responded to all the accusations brought against him in detail, showing that they were all a setup staged at the political behest of former Prime Minister Adrian Năstase. About the alleged relationship with me, Gregorian Bivolaru declared it was just a creation of those who wished him harm.

The Swedish court also learned of the threats he received on several occasions over the years, through which he was warned that if he did not close the yoga school, he would suffer. He told how, after a series of threats in 1994, in which he was told that if he did not close the yoga school, they would destroy him and the school, in February 1995, there was an arson attack on his apartment and a huge press campaign against him was triggered. He and the yoga school were constantly viciously attacked in the press. He spoke about his activity as editor-in-chief of the Yoga Magazine publication, the fact that he is self-taught, and that, subsequently, he was recognised as a yoga professor by two diplomas, one from France and the other from India.

After Gregorian Bivolaru's hearing, it was the turn of Karl Erik Nylund, Sweden's expert on cults and sects. He specialises in the study of sects, especially those with manipulative tendencies, and has already published two books on this subject. His testimony began with a presentation of elementary yoga notions. By drawing parallels between yogic concepts and other traditions, he demonstrated that the notions taught in the yoga courses of MISA School came entirely from the ancient spiritual lineages and are adapted in a suitable way to the Western point of view, thus fitting into universal spirituality in an original way. In his presentation, he also spoke about reincarnation, the notions of *Atman and Brahman*, *karma yoga*, etc. Karl Erik Nylund made it very clear that MISA is not a manipulative sect, because people are not forced in any way to do or not to do something. In Karl

Erik Nylund's view, MISA is an organisation with a beneficial social impact. " *I met Gregorian Bivolaru personally in Malmo prison, and I can say that I've never met a more honest and humble man than him in my entire life*", the Swedish priest told the judges.

The second day of the trial started with my hearing. From the beginning, I stated that I never had sexual relations with Gregorian Bivolaru, that everything was a set-up, and although I wanted many times to expose the abuses I was subjected to by the Romanian authorities who tormented me terribly, nobody was willing to take my testimony into consideration. My freedom of speech was violated. I described the violent and abusive way in which I was treated by the devilish authorities, and this prompted the Swedish judges to ask for details. The fact that during the search, the gendarmes entered without identifying themselves and behaved as in an armed robbery, was almost unimaginable to the Swedish court. My testimony also included the fact that my teacher who coordinates the yoga practice in the yoga class is Claudiu Trandafir, and not Gregorian Bivolaru, as the authorities forced me to write on 18 March 2004, in that statement taken from me using inquisitorial means. At the end of the hearings, I was asked if I was afraid that upon my return to Romania, I would have problems. Then I told them courageously:

I came here to testify truthfully. The future belongs to the Truth.

After my hearing, the prosecutor's deposition took place, in which she proposed the extradition of Gregorian Bivolaru, although she realised and admitted that a virulent press campaign had taken place in Romania against Gregorian Bivolaru, and moreover, the charges brought against Gregorian Bivolaru were unfounded.

Next, Gregorian Bivolaru spoke for the second time. He repeated that he was innocent and that he was the victim of a heinous set-up.

It is clear to me that the threats I received over the years have been carried out, and we are now in the final stage of the implementation of these threats. Meaning they want to destroy me and the yoga school, he concluded.

In his testimony, he said that the destruction of the yoga school is another objective of those who want it to disappear. An argument supporting his statement was the fact that all the properties belonging to the MISA Yoga School, as well as the personal homes of some yoga practitioners, were ordered to be confiscated.

If I am extradited, the Romanian authorities will have the opportunity to say that the Swedish authorities also found me guilty and will therefore arrest the other defendants in the case, who are innocent, he explained. A refusal of extradition will give all yogis who are wrongly accused, a chance to prove their innocence.

In the end, Gregorian Bivolaru confessed that he will humbly accept whatever the Swedish Supreme Court decides because everything comes from God. The defence lawyer, Niclas Larsson, who had been assigned to the case by default, explained in his closing arguments why the extradition request made by the Romanian authorities was not well-founded. The hearing of witnesses showed that the charges against Gregorian Bivolaru are neither clear nor certain. The evidence on file shows that the MISA mentor is a person who is discriminated against in Romania and, therefore, has no chance of a fair trial in his country.

Finally, the lawyer asked for the immediate release of Gregorian Bivolaru, pending a decision on his extradition to Romania. So on 21 October, Gregorian Bivolaru was released unconditionally, and a day later, the Sweden Supreme Court announced that the extradition requests made by the Romanian authorities had been rejected.

Following my hearing, the Swedish Supreme Court judges concluded: "*Mădălina Dumitru gave the impression of a trustworthy person and the information given by her regarding the circumstances of her arrest and interrogation on 18 March 2004 are supported by reliable evidence from other investigations*".

There is a huge difference in the way I was treated by the Justice System representatives in Sweden and in Romania. The fact that I was treated fairly there and that there was a genuine concern for truth contrasts immensely with the fact that in Romania, I am forced to defend myself against the abuses of the authorities and that I am dragged unwillingly into an absurd trial, which is devoid of any trace of fairness and which highlights the absence of any real concern to find out the truth. The Romanian authorities are guilty, as far as I am concerned, of inhuman and degrading treatment. My right to privacy, my right to liberty, my right to personal security, and my right to a fair trial have been flagrantly violated, even though all of these are promulgated and protected by the European Convention on Human Rights (ECHR). Even now, almost two decades later, no

legal measures have been taken that fall within the imperative duties of the state to protect me from the abuses and brutal treatment I was subjected to. My status as a deeply injured party is only in relation to the state bodies that have tormented me in a horrific way for years: prosecutors, police officers, and judges. In no way am I an injured party because of someone from the MISA Yoga School or Gregorian Bivolaru.

If there had been justice and fairness in Romania, my case should have been taken into account, and legal inquiries should have been made against all those who committed these serious abuses against me.

In October 2005, the Swedish authorities had "*eyes to see and ears to hear*" *and* concluded that none of the charges for which the two arrest warrants were issued for Gregorian Bivolaru were substantiated.

The Swedish authorities realised that huge abuses were committed in this case and concluded that the charges brought by Romanian authorities against Gregorian Bivolaru were completely false and unfounded. Even the prosecutor investigating the case admitted this in astonishment. However, he found it hard to believe that the judiciary of a country that was then a candidate for EU membership would not make a fair decision and immediately release Gregorian Bivolaru and asked for his extradition. Gregorian Bivolaru also had a hearing and told the Court about the long series of flagrant abuses that he suffered and showed that he had no confidence whatsoever that a fair trial would take place in Romania, where he was expecting to receive a disproportionate sentence and that even his life would be in danger. For the Swedish Supreme Court authorities, the situation is clear from a legal point of view, with the prosecutor himself admitting Gregorian Bivolaru's innocence.

Following the decision of the Swedish Supreme Court, in December 2005, the Romanian Minister of Justice, Monica Macovei, asked the Superior Council of Magistracy and the Prosecutor's Office of the High Court of Cassation and Justice to conduct an investigation to verify compliance with the procedures in the Gregorian Bivolaru case. On 10 January 2006, Călin Popescu-Tăriceanu, Prime Minister of Romania from 2004 to 2008, commented in a public statement on the Swedish justice system: "*When Gregorian Bivolaru is granted*

*political asylum in Sweden because the fundamental freedoms of the individual are not respected in Romania, it is the greatest proof that justice doesn't work in our country.*"

On 22 February 2006, the inspector's report on Gregorian Bivolaru's case was approved in the general meeting of the Superior Council of Magistracy (CSM). Far from being truthful and clarifying, the report is an insult to common sense. In short, the yogis are accused of having staged the abuses they claim. The CSM members claim that the humiliating images of the violent March 2004 raids on the yogis, which were obsessively broadcast by the mass media, were not made available to journalists by the Public Prosecutor's Office but by the yogis who staged the raids. The conclusion of the CSM report: "*No one from the Public Prosecutor's Office at the Court of Appeal is guilty*". The CMS report mind-bogglingly justifies the brutality and violence of the searches carried out by 300 prosecutors and police officers in March 2004 by certain "fears" they had. That is to say, armed masked forces and prosecutors, an average of 20 per home searched, four times as many as the occupants, and gendarmes trained to deal with real confrontations, only paraded their force because... they were afraid of possible violent retaliation. They were correct to fear, even if previous situations did not justify their fears, and they did not need to provide any evidence to support those fears.

By contrast, the people who have been threatened with guns, beaten, cursed at, and treated as dangerous criminals just because the prosecutors "feared" them are not allowed to make accusations of panic and terror they are responsible for. There are dozens of statements from victims of the 18 March 2004 searches. The CSM report also mentions 13 search warrants issued by the judge for buildings and one for a vehicle: "*It was found that the searches were lawfully carried out on the basis of authorisations issued by the judge*". In fact, 16 searches were initially carried out. For example, at Sergent Turturică Street, no. 103 (which is not on the list in the CSM report), it was known from the beginning that there was no warrant. In Romania, the investigators are, therefore, allowed to enter any building in the vicinity of the building they have a warrant for. How wide this area can be is not specified, and it is up to the prosecutor to determine how many houses he wants to search without a warrant.

In Romania, the investigators are allowed to stop people passing in front of a searched property, take them by force to the premises in question and deprive them of money, jewellery, documents, phones, or any other personal belongings they have on them. In Romania, the investigators have the right to seize money, jewellery, documents, CDs, books, phones, and other personal belongings, such as clothes, socks, vacuum cleaners, etc., without a warrant and not to return them. This is what the CSM report says: "*With regard to the goods and valuables seized during the searches, if it was found that the items seized were not related to the case, they were returned to the injured parties as a result of the complaints being upheld*". Let's see what was actually returned from the tons of goods seized by investigators. It was not until a year later that accounting records, documents, magazines, and other materials began to be returned. Between then and today, only a tiny fraction of the seized goods have been returned. The money, jewellery, mobile phones, some household appliances, and other personal belongings seized at that time are not on any of the records. The tons of books and printed yoga courses seized are still mostly at the prosecutor's office. As for computers, although the law clearly regulates the maximum time limit for their retention, those legal provisions have not been respected.

The Justice Minister's request to check that Gregorian Bivolaru's procedural rights were respected is interpreted as an intrusion in the act of justice. Here is what Monica Macovei said at the time: "*In my opinion, unfortunately, the CSM inspection did not find out the truth in this case. It's just dozens of pages of their conclusion that no one was wrong, not the judges, not the prosecutors, no one in the judiciary*".

## The trials I participated in at Sibiu and Alba Iulia

*That which is unjust can really profit no one; that which is just can really harm no one. Henry George*

After Gregorian Bivolaru was released from police custody on 1 April 2004 (due to the vigilance of his lawyers, who noticed some procedural flaws) the authorities took their revenge. The accusations against him multiplied, collaborations were obtained from some ex-yoga practitioners and a new fabricated accusation of human trafficking was made. The first trial was the one in Sibiu, in which Gregorian Bivolaru was put on trial for a sexual act with a minor, continued sexual perversion, attempted fraudulent border crossing, and child trafficking. Farkas Ferencz Zsolt, who was with Gregorian Bivolaru in Nădlac customs, and my friend Mirona Farcași, the one with whom I lived and with whom I was in the house during the search on 18 March 2004, were also accused in that trial.

The trial started in 2005, and the sentence was handed down on 23 April 2010, when the presiding judge of the court, Judge Daniela Czika, found Gregorian Bivolaru not guilty. Five years which were very difficult for me. At the end of the trial, Gregorian Bivolaru was acquitted on the grounds that the facts of which he was accused by prosecutors did not exist. As far as I am concerned, the court notes: "*In the context of the fact that the statement of the injured party Mădălina Dumitru was taken immediately after the searches [of 18 March 2004], on the background of the psychological tensions created by the long time and the way in which the search was conducted, the statements of the injured party at the trial stage, in which she states that she was threatened and pressured by the criminal investigation bodies to declare that she had sexual relations with the defendant Gregorian Bivolaru, appear to be relevant*".

My mother, Tanţa, in whose testimony the Public Prosecutor's Office had placed a vain hope, confirmed without a shred of doubt before the court that I moved to Bucharest with her consent and that she never saw me in in the company of Gregorian Bivolaru. My sister Luminița also retracted her initial statement, admitting that her previous statement, in which she said I was devirginised by Gregorian Bivolaru, was just a suspicion. During the trial, the prosecutors used a psychological expert report carried out by a psychologist proposed by the prosecutors, Tudorel Butoi. This is how this expert opinion is

assessed in the final text of the sentence: "*In this context [of the opinions of other specialists], we consider that the material made available for evaluation (diaries, notes) is not such as to allow the formulation of scientific conclusions, in the absence of direct contact with the subject evaluated, especially as the notes [of Mădălina Dumitru] denotes her rich imagination*". The conclusion: "*In the light of this evidence, the Court finds that it has not proven, with certainty, that there was a sexual act between the defendant Bivolaru and the injured party Dumitru, Mădălina, for which reason the defendant is acquitted*".

This dispels one of the accusations that has aroused the public's fantasy: the alleged sexual relationship between the yoga teacher and me cannot be proven by the prosecutors, despite their strenuous efforts and the huge string of abuses carried out. As for the charge of child trafficking, specifically the charge that Gregorian Bivolaru had allegedly trafficked me, Judge Daniela Czika held that the objective side of this crime "*includes the activity of recruiting, transporting, transferring, accommodating, receiving a minor. However, none of these alternative ways of committing the offence has been proven in this case*". The circumstances in which the offence was allegedly committed were also not proven, according to the indictment: "*acts of violence, threats, coercion*". The theory of my exploitation as a victim also fails, as there is no evidence of "*material or other benefits by the active subject of the trafficking offence*", benefits that Gregorian Bivolaru would have allegedly obtained from the victim's exploitation. Gregorian Bivolaru and the other defendants in the case were acquitted.

An appeal by the prosecutors followed. The trial took place in Alba Iulia, and this time it went much faster. On 14 March 2011, the Alba Iulia Court of Appeal rejected the appeal lodged by the Sibiu Public Prosecutor's Office against the acquittal of Gregorian Bivolaru. Judges Monica Felicia Fărcaş and Sanda Trif revisited the arguments presented in Sibiu, made them more rigorous and added some new ones. They refused some evidence because the evidence gathered during the criminal proceedings is only used for the purpose of prosecution and cannot constitute grounds for conviction. At the trial stage, the evidence gathered during the criminal proceedings must be verified by the court because only after such verification can the court reach a well-founded and lawful decision. A key piece in the prosecution's indictment at the Bucharest Court of Appeal was the statement that was forcibly extracted

from me during the brutal search on 18 March 2004, which I wrote at the dictation of the prosecutors, even though it was not true, that I had sexual relations with Gregorian Bivolaru in 2001. The Alba Iulia Court noticed that in all other statements I subsequently gave, I vehemently denied the existence of a so-called intimate relationship with Gregorian Bivolaru. Here is an excerpt from the court's decision:

"*Taking into account the concrete circumstances of Mădălina Dumitru's statements, after the search of the building from which she was taken to the Public Prosecutor's Office, the court established that the initial statements could not constitute certain evidence of guilt on which to base a conviction of Gregorian Bivolaru.*

*From the building where Dumitru Mădălina lived, the evidence coming from the injured party – diaries, letters, notes, and photographs that existed in the legal file – did not lead in themselves to the conclusion that the minor had sexual relations with Gregorian Bivolaru.*

*Nor does the situation of the entry and exit of the injured party from the country support the accusations. According to the existing testimonies, each participant bore the related travel costs. On the other hand, the mere participation of the injured party in lectures and symposiums organised by MISA abroad does not amount to the maintenance of sexual relations with Gregorian Bivolaru. The assessment of the psychologist Tudorel Butoi was made only on the basis of the documents provided by the prosecution, without any direct contact between the psychologist and the person concerned, and the conclusions of this report were contradicted during the judicial investigation by the opinions of other specialists. As the evidence submitted does not confirm the offence of a sexual act with a minor was committed, it is not possible to conclude that the victim Dumitru, Mădălina was subjected to acts of sexual perversion*".

The Alba Iulia Court of Appeal's ruling certifies Gregorian Bivolaru's innocence once again. The first court concluded that there was no trafficking of minors. The Court of Alba Iulia also noted that I settled in Bucharest on my own initiative, with my mother's consent for the school transfer, so it cannot be held that I was recruited in any way by Gregorian Bivolaru or other MISA yoga student or supporter. The involvement of Gregorian Bivolaru in my housing situation was not proven either. In conclusion, the verdict of the Alba Iulia trial is: Gregorian Bivolaru is innocent!

## My confrontation with the sinister black legal panel of Bucharest

*Corn can't expect justice from a court composed of chickens.*
- African proverb

### *The flagrant abuses of Judge Ionuț Matei*

The court hearings in Sibiu and Alba Iulia were held with maximum pressure on the judges, suggesting they were pushing for a conviction. The verdict was nevertheless not guilty, and the judges' argumentation excelled through conscientiousness.

After two lost procedural phases, the Public Prosecutor's Office filed an appeal, challenging the decisions of the trial and appeal court, which completely removed the evidence administered during the criminal proceedings - an act motivated by ECHR case laws and the provisions of the Romanian Penal Code.

In 2011, the trial started all over again, at the last possible court. The High Court of Cassation and Justice - Criminal Section began to judge the appeal filed by the Public Prosecutor's Office of the Alba-Iulia Court of Appeal on the grounds of "serious factual error" of the courts that had acquitted Gregorian Bivolaru. Despite the fact that two courts of justice (of trial and of appeal) had acquitted Gregorian Bivolaru, the High Court of Cassation and Justice (ICCJ) overturned the acquittal decision on the derisive motive that it gave the defendant "the chance to defend himself". In June 2013, the ICCJ put an end to this show trial by sentencing Gregorian Bivolaru to six years in prison.

The European Court of Human Rights ruled in October 2018 that in this ICCJ trial, in which the yoga teacher Gregorian Bivolaru was convicted of allegedly "maintaining sexual relations with a minor", several illegalities were committed. More specifically, in the case of Bivolaru versus Romania (case no. 66580/12), a violation of Article 6.1 of the European Convention on Human Rights was found, namely the right to a fair trial within a reasonable time. The ECHR ordered the Romanian State to pay Gregorian Bivolaru the sum of 6,200 euros in moral damages and court costs.

The Court, composed of judges Ionuț Matei, Cristina Rotaru, and Ioana Bogdan, met on 12 April 2012 to announce the admission of the

appeal lodged by the Public Prosecutor's Office. The decision was not made in open court - as required by the procedures - and the defendants' representatives had to wait 12 hours at the ICCJ to be informed. The court overturned the decisions of the Sibiu and Alba Iulia courts and ordered the case to be retried by the same panel. Another illegality: the decision is not legally motivated.

The April 2012 decision was also surprising for not taking into account the statute of limitations for three offences in the case, as found by the courts in Sibiu and Alba Iulia. However, the ICCJ decided to re-examine them, and the series of non-procedural actions did not stop there. Gregorian Bivolaru lodged an appeal for the annulment of the decision to set aside the judgment. However, the same court, finding itself in a situation of incompatibility, dismissed the appeal... as its own decision. Grounds for other applications for recusal, were all rejected.

In the briefs sent by my lawyer and Gregorian Bivolaru's lawyers to the Superior Council of Magistracy (CSM), the Ministry of Justice, the President of Romania, and the ICCJ leadership, the complete asymmetry in the treatment of witnesses was pointed out: those of the prosecution were listened to with respect, sometimes for hours, often oriented in the direction of unfavourable statements to the defendants; those of the defence were intimidated, mocked, harassed, threatened that they would be accused of false testimony. The vast majority of questions put by the defence were rejected, even when they seemed essential to the case and likely to reveal the truth. One of the most important witnesses for the defence, Lomoș Remus, my fiancé, who had been summoned for the hearing on 23 October 2012, was informed by the court that it had been decided not to hear him, and he was thrown out of the courtroom.

My lawyer, together with the defence lawyers, also complained about the attitude of the president of the panel, Judge Ionuț Matei, which they described as "not appropriate, deeply unprofessional". They complained of aggressive questioning, unjustified interruptions, admonishment, threats, and treatment "with contempt and irony". The allegations are not "mere allegations": the assistants and parties present in the courtroom recorded what they said during the trial. From what they reveal, we discover a lexicon and tone unbecoming of a magistrate. Here are a few examples of Judge Ionuț Matei's

rantings: "*I don't see the limits within which you exercise this damned right to defence*?" The intimidating tone had an even greater impact on vulnerable witnesses: "*You are being questioned, you must not get inflamed now because you are not being questioned... You are not being investigated because you were or were not... so you must not have any other manifestations. Yes!!!*?"

On 23 February 2012, I testified before Judge Ionuț Matei, in the trial at the High Court of Cassation and Justice, which was judging the appeal filed by prosecutors against Gregorian Bivolaru and in which I was the alleged injured party. Despite the fact that for 9 years, since I was dragged unwillingly into this trial, I constantly denied that I had any intimate relationship with Gregorian Bivolaru, the judges reordered my hearing, although, in the appeal phase of any trial, it is illegal to hear the injured party. The illegality of my hearing is, unfortunately, only the first aspect. During this hearing, I was treated in a profoundly humiliating, ironic, and mocking manner.

I arrived at the Court of Cassation and Justice at 9 a.m. In that courtroom where the appeal was going to take place, several cases were pending. Even though we had an order number at the time, the judge made sure that the case in which I was the so-called injured party was taken last. My lawyer was sitting in the courtroom on the first bench.

I was in and out of that courtroom many times. I would go and ask her:

How much longer? Why don't we get started?

What amazed me even then was that every time I went in there, the judge looked at me with a frown. I had the feeling he was like a growling dog. This happened every time without exception. I didn't know anything about this judge and didn't understand his hostile attitude at the time.

Sometimes, I stayed longer in the courtroom, watching how the judging of other cases was done. The attitude of the judges seemed natural to me, that of people who listened carefully to all parties involved.

I was tired of waiting. Very late, my hearing also began. But just before it, an incident occurred that almost made me go home. After the trial before us was over, the judges said they were retiring for a recess. Just before leaving the courtroom, the judge stared at me

insistently with an incisive, angry look. It was like he was emitting lasers from his eyes. I froze. I was so frightened that I went to my lawyer and told her I wanted to go home and that I didn't want to give any statement.

When they came back into the courtroom, the judge said:

- We will order the hearing of the injured party, after which he looked at me in an aggressive and harsh manner and continued commandingly. Come to the front! He said, pointing to the desk in front of the courtroom.

This authoritarian, even violent attitude of the judge towards me scared me. I was alarmed by the fact that the judge began to hear me in front of a room full of litigants, lawyers from all over the country, and of all ages. Then I turned to my lawyer and asked her:

Please, can we be the only ones in the courtroom? I had this right, which I could request, not to be heard in open court.

Judge Ionuţ Matei rejected my request and pretended he didn't understand what it was about. Ionuţ Matei rolled his eyes, suggesting that these were my "whims" that bore and annoyed him. Thus, I was forced to answer in the presence of 70 strangers, including reporters eager for cheap sensationalism, to a lot of questions about my intimate personal and sexual life from when I was a minor. Maybe for Judge Ionuţ Matei, this desire of mine to keep the hearing behind closed doors was just a whim, but for me, it meant new motives for calumny and mockery by the press. I was tired of being treated as an easy woman, and people pointing their fingers at me or sometimes mocking me and having to stay indoors for months at a time.

During the hearing, my every sentence was twisted and truncated so that everything I said turned into nonsense that could only be said by someone with serious intelligence problems. I will give one of the countless examples. I was asked questions about how, in March 2004, I was forced by prosecutors to write and sign a false statement. Just the mere fact that in my hearing, I was recounting what I had been through, evoking the turmoil and terror of those awful moments, created terrible stress for me. This state was further accentuated by the brutal and aggressive way in which Judge Ionuț Matei interrogated me. He behaved as if I was guilty of something.

Moreover, an astonishing and shocking fact was that during this hearing, I was referred to several times as the defendant or accused

party. I was talking about the fact that on 18 March 2004, before the prosecutors started to dictate what I should write and beat me, a female psychologist made me draw some trees, probably to reassure me and to gain some trust in them so that they could manipulate me more easily. Judge Ionuț Matei asked me:

So, how were they banging your head against the desk and pulling your hair while you were drawing trees? He said, glancing left and right at the female judges in the panel assisting him.

Many in the courtroom burst out laughing; they seemed to be having a good time at the expense of my misery. Through the so-called "goodwill" of Judge Ionuț Matei, this dramatic and extremely traumatic episode for me turned into a mockery in front of dozens of strangers. Judge Ionuț Matei was being insinuating and mocking. He interrupted me at almost every sentence, making me lose track of what I was saying and thus appear incoherent. When my lawyer intervened and drew his attention to the threatening manner and mocking tone he was using, reminding him that I was still very much affected by the events of the last few years, the judge became even more aggressive. He treated me with a completely unjustified harshness. His tone was harsh and bitter, his interruptions ironic and full of an impatience that made me almost unbearably stressed.

Judge Ionuț Matei's goal in this way of acting was to suggest that I had serious memory problems, that I was mentally unstable and easily influenced, and that is why the testimony I gave before him, in which I denounced and incriminated the prosecutors for having taken a forced statement from me on 18 March 2004, had no legal value.

In the courtroom, I was telling about what happened to me on 1 April 2004. I went on to tell the story of how I took it into my own hands and went voluntarily to the prosecutor's office, where I was not allowed to give any statement at the time, but instead, a warrant for my arrest was issued on the spot. I was then forcibly taken to the IML (the Legal Medical Institute) to be subjected to those abusive gynaecological examinations. I was telling about how the prosecutors, after they had forced me into a doctor's office in the IML building, were pulling at me to take my clothes off for that expert.

Judge Ionuț Matei said in a mocking tone:

- Well, if you went willingly, then...

- I went to the prosecutor's office to give a statement about the abuse and torture I was subjected to on 18 March 2004, not for a gynaecological consultation, I replied.

My lawyer intervened:

- Your Honor, I declare before you that I was taken together with my client, Mădălina Dumitru, from the Public Prosecutor's Office to the IML in a police van, which is, to my knowledge, assigned to transport dangerous criminals. Please ask my client what type of vehicle she was taken to the IML and also ask for this to be recorded, she said in a vehement tone, suddenly getting up from the bench.

Ionuț Matei spoke over her, then towards the end, he even interrupted her and, in a sharp tone, told her:

I'll give you a fine if you speak without being asked, ordering her to sit back down, and if not, I'll throw you out of the courtroom.

Regarding my lawyers' statement, Judge Ionuţ Mate said:

It's not relevant. It will not be recorded, he said.

However, the recording of this detail of my journey in a police van would have very clearly highlighted the abuse committed against me and the fact that I had not gone to the IML of my own free will, but I was forced and dragged there. Throughout my hearing, the so-called judges, who behaved more like accusers-investigators, used multiple methods of psychological terror: questions in a sharp and violent tone, blatant disrespect of my rights, venomous comments, interrupting in the middle of sentences, questions with a perverse undertone, discussions they had only among themselves masking with sheets of paper what they were talking about, sarcastic laughter at certain details I presented, acute lack of understanding, a complete lack of natural dialogue, harsh accusations they made against me during the hearing. All this "explosive deposit" that had accumulated throughout this hearing "blew up," destroying the last shred of hope I had left when the court hearing prosecutor lit the fateful "match" by addressing me:

- The defendant Dumitru Mădălina...

Everything collapsed then. I didn't understand anything anymore. From the witness, I was unwillingly switched to the injured party, and now I was called, in a bizarre way, the defendant. The judges behaved very harshly with me, just like I was a dangerous criminal!

They spoke to me in a severe tone, using harsh, threatening and accusatory language. During the hearing, their attitude towards me was sometimes offensive and even brutal, sometimes ironic and full of contemptuous amusement, reaching even the levels of convulsion.

These moments recreated all the terror, humiliation, blackmail, abuse and harassment that I had experienced since 18 March 2004, when I was forced and dragged by the Romanian authorities into this criminal trial. I have never been harmed in any way by Gregorian Bivolaru. I stated this from 2004 continuously in all the statements that I gave, both legal ones, or when I was given the possibility to express myself.

### *Cleverly falsified evidence*

The courts in Sibiu and Alba Iulia had dismissed the evidence resulting from the wiretapping and interception of phone conversations from 2002-2003, as the wiretapping warrants had not been presented, claiming "state secrecy". More likely because the prosecutors knew that this evidence was illegal. The warrants had been issued under the National Security Act, but the ordinary offences for which Gregorian Bivolaru was prosecuted fell outside the scope of the Act. When these documents were submitted as new evidence, the defence lawyers requested an adjournment of the hearing to examine the evidence and to prepare the defence. Contrary to logic, and following orders from behind the scenes, serving the interests of the bad guys in power, the judges rejected the request. The last-minute submission of the warrants, so that they could not be assessed before the debate, and also the avoidance of their discussion in the last session before the verdict suggests a diabolical pact between the prosecutors and the judges, carried out at the political behest.

The transcripts of the intercepts, in their entirety, only contain conversations from the private lives of the alleged participants or from the private lives of several individuals, which had nothing to do with the provisions of Law 51/1991 on national security. The minutes suggest that telephone conversations allegedly took place between Gregorian Bivolaru and Mădălina Dumitru. The transcripts of the alleged conversations were transcribed randomly and biased and did not reveal the commitment of the offences the yoga teacher was

accused of in any way. The prosecutors who put this evidence at the disposal of the court didn't know how to answer the questions that I raised during my hearing. If this phone tapping evidence is considered legal and enlightening by the investigators in the case of offences such as child trafficking, sexual act with a minor, and sexual corruption, how is it possible that, although the investigating prosecutors were for two years (between 2002-2004) "direct witnesses" to the perpetration of these offences against me, a minor, they did not intervene in order to stop the "perpetration" of such crimes and rescue the "victim"?

Another extremely bizarre aspect is that most of the documents approving the phone tapping were drawn up on 14 May 2004, about a year after the actual wiretapping, and many of them stated in the preamble that the wiretapping of the phone number 0724.758.255, user Mădălina Dumitru. It was only in June 2004 that the prosecutors registered a note in each document stating the correction of the alleged error, to the effect that they tapped the phone with the number 0723.230.805, belonging to user Gregorian Bivolaru. I complained to the court about the profoundly illegal nature of these wiretaps, especially as they could not be validated because the wiretapping authorisations and the Romanian Intelligence Service (SRI) request had not been submitted.

In this politically fabricated file by the Romanian Intelligence Service, my phone conversations were wiretapped for almost two years on the grounds that I am a danger to national security. This was the aberrant reason invoked at the trial by the prosecutors, that I would have endangered national security and therefore, my phone conversations were, in fact, illegally wiretapped. I wonder how it is possible for a young adolescent to endanger the security of a nation. To me, this is an outrage! How is it possible that the authorities who are meant to protect us can afford to accuse me a priori of being a threat to national security?

This is the first aspect related to this illegal wiretapping of my phone conversations. A second aspect is their content. Some wiretapped phone conversations were presented as "evidence" at the trial, which were later truncated and even falsified. This evidence - transcripts of the alleged phone conversations - was never subjected to expert examination. Indeed, there were some phone conversations

and discussions in which Gregorian Bivolaru also participated. They took place during an episode in my life before 18 March 2004, related to writing a book, starting from an innocent game in which many people participated, including him. I spoke about that episode in a previous chapter. That playful game had no major importance, but taken out of context, truncated, changed, and even falsified, it was cunningly used by the investigators to strengthen their fabricated story.

From what I had the opportunity to see in the file, those transcripts admitted as evidence are truncated, taken out of context and, moreover, sentences that I never said in any conversation with Gregorian Bivolaru were attributed to me.

When I found out that my phone had been tapped for almost two years, I was shocked. Although I have had many phone conversations with my mother and some colleagues from high school, they were never found as evidence in the file. In this file, I had the alleged status of the injured party. The judges have the obligation to investigate if something serious has been committed against me and then punish the perpetrators. As I have repeated every time, for years in a row, I was never sexually abused by Gregorian Bivolaru, but I was abused by the Romanian State authorities, including these judges, who, at least theoretically, should have listened to me in a civilised manner.

This masquerade called a trial amplified my fear of any kind of public authority. Violent gendarmes beat me, broke in and stole everything from the house where I was living. The prosecutors and investigating policemen interrogated me, brutally torturing me for hours, and the mass media crushed me under its perverse lies, presenting me to the entire foolish country as an easy woman and now the sadistic judges destroyed my chance for justice, mocking me with Machiavellian contempt during a sinister interrogation that seemed to never end. I still have violent, trembling reactions when I see a policeman on the street or when I hear a police siren, even when I am inside. I lost my self-confidence and trust in people. I had long periods where I cried continuously. I spent nights tormented by severe insomnia and permanent fear. I was afraid to walk on the street or to be in public places. I was forced to resort to specialised medical consultations - psychiatric and psychological - and all of this cost me a lot of money. I even had to borrow some money because

my financial situation is modest. There is no possibility of being hired for employment somewhere in Romania anymore. All these terribly dramatic events turned my life into a nightmare. I often had the sinister thought that I didn't deserve to live anymore because I could not stand this continuous torture from the authorities anymore.

I always tried to tell the truth and only the truth, although back then, on 18 March 2004, I was forced to write lies. To make me sign that statement, they resorted to sedating me with a very strong drug, which I later found out from a psychiatrist was very likely to have been scopolamine, given the effects I experienced. However, during my hearing on 23 February 2013, the judges suggested in various ways that I am a great liar. Ionuţ Matei stated that although I am young, I still have a selective memory, insinuating that, in fact, I lied every time I said that I didn't have a relationship with Gregorian Bivolaru. Also, when I highlighted that I had a 9-year relationship with Remus, the not-so-subtle and even tyrannical allusions of Judge Ionuţ Matei seemed to demonstrate the contrary for everyone present in the courtroom.

I had been heard several times in various courts in connection with this case, and I must confess that in all other cases (Sweden in 2005, Sibiu in 2010, Alba Iulia in 2011), those judges were impartial through the whole court hearing. For example, when I testified in court in Sweden, the nine judges assigned to the case were very attentive and asked me in a civilised and impartial way everything they wanted to know.

But, ironically, at the Romanian Supreme Court, a higher court, the last court to which justice is sought, the judges were constantly hostile, mocking and very aggressive towards me, always trying to get me to say something that never happened. The judges took on the appearance of brutal prosecutors whose Machiavellian plan, politically ordered from behind the scenes, was to turn me into an instrument to indict Gregorian Bivolaru.

### *Unjustly convicted due to the shadow orders of the "system."*

The judges took testimonies from the witnesses proposed by the Public Prosecutor's Office in a discretionary and biased manner, compared to the witnesses proposed by the defence, towards whom they had a permanent, particularly aggressive, intimidating attitude. The court did not record their testimonies or distorted certain information. In fact, all witnesses who did not give testimonies in accordance with plans to convict Gregorian Bivolaru, which were obviously premeditated, were treated with the same brutality.

When my older sister, Luminița, gave testimony at the ICCJ trial on 23 May 2013 as a witness for the Prosecutor's Office, she stated before the panel of judges led by Ionuţ Matei that she was subjected to constant manipulation and misinformation from the police and prosecutors, who told both her and my other sister that their goal is to catch Gregorian Bivolaru and they must help them. At the court hearing that took place 8 years after the events of March 2004, Luminița testified that following discussions with the police and prosecutors, who wanted to put Gregorian Bivolaru in prison at all costs, she came to believe that I, her younger sister, would do something reprehensible and that those statements made by her at the behest of the prosecutors would help me. She stated that she had never witnessed anything the prosecutors were telling her. When Judge Ionuţ Matei saw that my sister completely reversed her opinion 180 degrees, he started to treat her aggressively and with contempt. She also later made a statement against Judge Ionuţ Matei.

Here are some excerpts from this statement: "*During my hearing, Judge Ionuţ Matei showed an excess of power and adopted an abusive and verbally violent attitude towards me, harassing me and intimidating me throughout my testimony. Judge Ionuţ Matei harassed me and intimidated me constantly, using a violent tone and showing harsh and disrespectful behaviour towards me. He refused to record what I had declared regarding the essential aspects of the case. From the very beginning of my testimony, he harassed me with questions that aimed at persuading me to admit that I was a liar, which was not true. He didn't want to find out the truth regarding the factual situation. He didn't have a neutral attitude towards what I was saying, being extremely bothered by the fact that I didn't back up my previous testimonies, which were false.*"

Thus, my sister Luminita understood the abuse committed against me by the authorities and lived intense states of remorse towards me. She asked for my forgiveness. After her hearing in 2013, my sister told me that she didn't want anything anymore from the house inheritance and that she now wanted to give me her own share of the inheritance. She said that my father built a very big house for her and helped her a lot in this regard, but unfortunately, he didn't have time, due to his serious illness, which tormented him for a long time, to do the same for me, even if he wanted to. I was extremely impressed and touched by the turn of events taken by the situation and the relationship with my older sister. Even nowadays, she comes to see me and wants to talk to me. But my other sister, Florentina, told me that I am not her sister anymore and I should not look for her as long as I am alive. She said that she only has one sister, Luminita, and that's it.

In the case of the testimony given under oath by my other sister, Florentina, paradoxically and profoundly biased, the court selected and retained as truthful only the information that satisfies their own prejudgements. Here is a fragment from Florentina's testimony before the court, which was completely ignored:

"*The testimony I gave in the criminal case regarding the fact that Mădălina might have been devirginated by Bivolaru is just a mere suspicion of mine. Mădălina didn't mention any intimate relationship with Bivolaru, and she didn't say anything about Farcaşi (Mirona Farcaşi) either. I only made the statement regarding the methods of the MISA Association to obtain profits because this is what I saw on TV, and no evidence was shown to me by the Prosecutor's Office about this. I was called to the Prosecutor's Office, I heard about what she (Mădălina) is doing from them (the prosecutors), and I gave the statement that I gave*".

The same judges from the ICCJ decided to remove the sworn testimony of my first beloved, Grigore Țiplea, about our love relationship and to ignore the submitted evidence, which proved the relationship between us, on the grounds that there is an age difference of 18 years between us! However, the court absurdly and paradoxically considered that the same argument does not apply to the alleged relationship with Gregorian Bivolaru, who is 34 years older than me. Another argument for rejecting Grigore Țiplea's testimony is the fact that he lived promiscuously because he had a

relationship with another woman in parallel, and therefore I couldn't accept such a relationship. Instead, according to the judge's logic, I would have been willing to have a relationship with the beloved of my friend Mirona, Gregorian Bivolaru.

At the same time, the judges refused to hear Remus Lomoş before the ICCJ court, even though he had been summoned and showed up at the court hearing. They instead decided that he was not my beloved, based on my sister Florentina Iordache's testimony, who declared that I didn't tell her in July 2003, when I went home for the first time with Remus, on the occasion of my father's funeral, that he is my beloved.

My opinion, and that of other competent people in this area, such as the lawyers, human rights activists and even some journalists, is that Judge Ionuţ Matei behaved abusively because he had received a political order in this case. Very shortly after the excessively harsh sentence imposed in this fabricated case against Gregorian Bivolaru, Judge Ionuţ Matei was promoted to the position of vice president of the Criminal Section at the ICCJ.

Reading on the internet about Judge Ionuţ Matei, I found out that he was recommended for the position of vice president of the ICCJ by Florin Coldea, who at that time was the First Deputy Director of the Romanian Intelligence Service (SRI). Ionuţ Matei publicly declared during his candidacy for the position of vice president of the ICCJ that he wants a closer collaboration with the SRI. Later on, he became the chief of the Security Division of ICCJ, whose legal and functional basis is questionable and whose name is reminiscent of the old Communist Securitate.

He is a masonic lodge member, along with many important names in the SRI and the judiciary. As vice president of the ICCJ, he promoted a series of questionable judges who have very close ties to the SRI. He was investigated by the National Anticorruption Directorate (DNA) for taking bribes, abuse of office and aiding and abetting a criminal in connection with a decision he made in the criminal case of the notorious habitual criminal interloper Nuțu Cămătaru. More precisely, he reduced Nuțu Cămătaru's sentence, imposed by the trial court of 9 years imprisonment, to 2 years and 8 months, exactly as long as the time served until that point and ordered his immediate release from prison. There is even a recording of a phone

conversation between the Cămătaru brothers in which Ionuț Matei's name is mentioned.

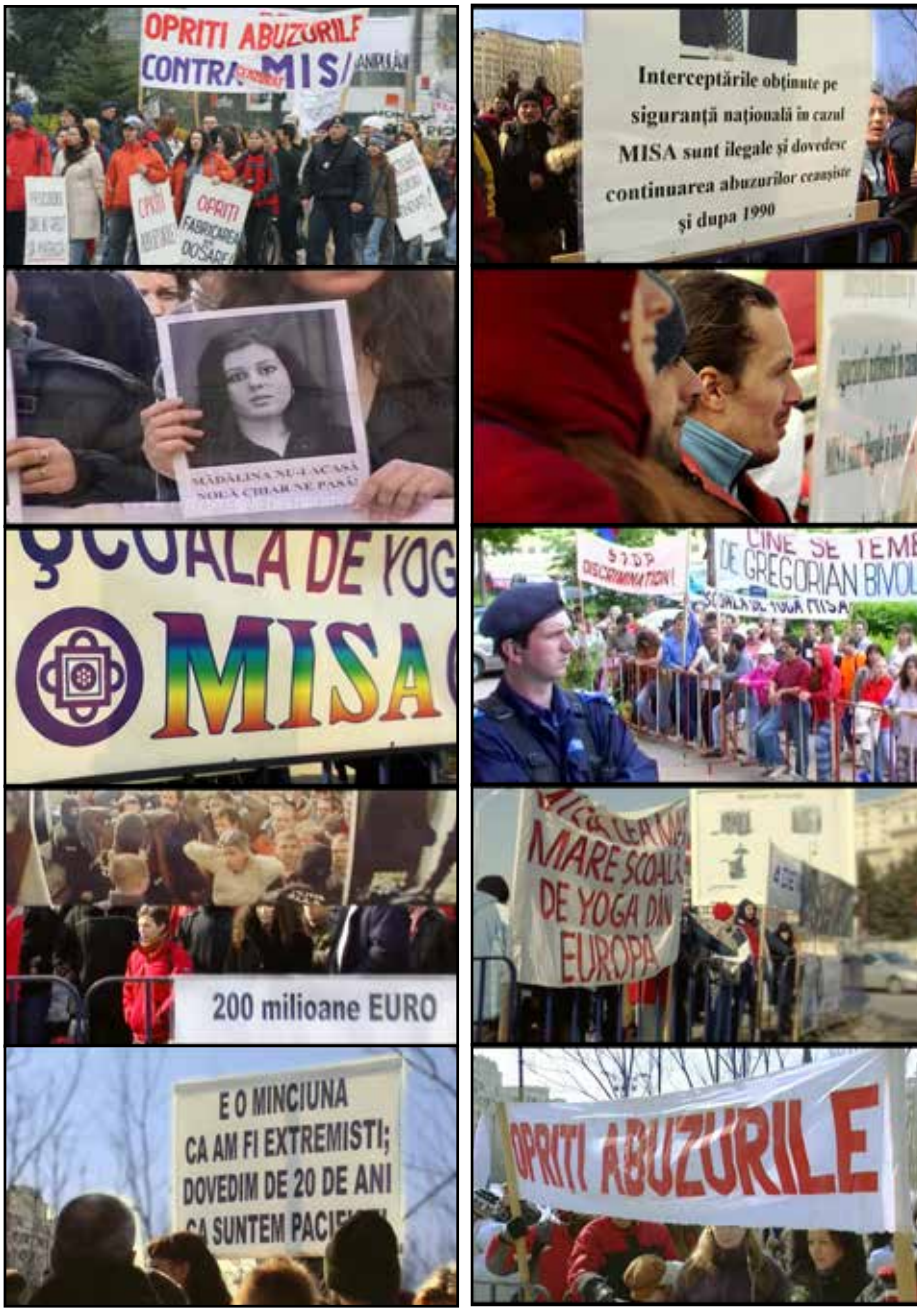
On 18 September 2017, the "Sinteza Zilei" (Daily Synthesis) show on Antena 3 TV channel had lawyer Ingrid Mocanu, former director of the Justice Ministry, as a guest; she was known, among other things, for how she denounced the abuses and corruptions in the DNA and judiciary. On that occasion, completely surprising for those watching the show, Ingrid Mocanu stated for the first time publicly that Judge Ionuț Matei *had been blackmailed with a fabricated file, the one with the Cămătaru brothers, because he was about to judge the trial of the MISA leader, who was to be sentenced at the behest of the "system"*. Ingrid Mocanu has spoken publicly on many occasions about the fact that Judge Ionuț Matei is "the man" of the occult system that leads Romania. She also said that when there is an interest in a case to be resolved by sentencing inconvenient persons at any cost, the court cases are not randomly assigned to the judges, as required by law. This explains why Ionuț Matei judges so many controversial cases.

All this shows, in fact, that none of the people involved in this case would have had any chance of a fair trial because, as they say, the game was already decided; in other words, all the decisions had been taken beforehand. The behaviour of the High Court of Cassation and Justice judges and the unjust decision they made in this fabricated case reinforced my sad but true conclusion that the law is not respected and justice is not served in Romania.

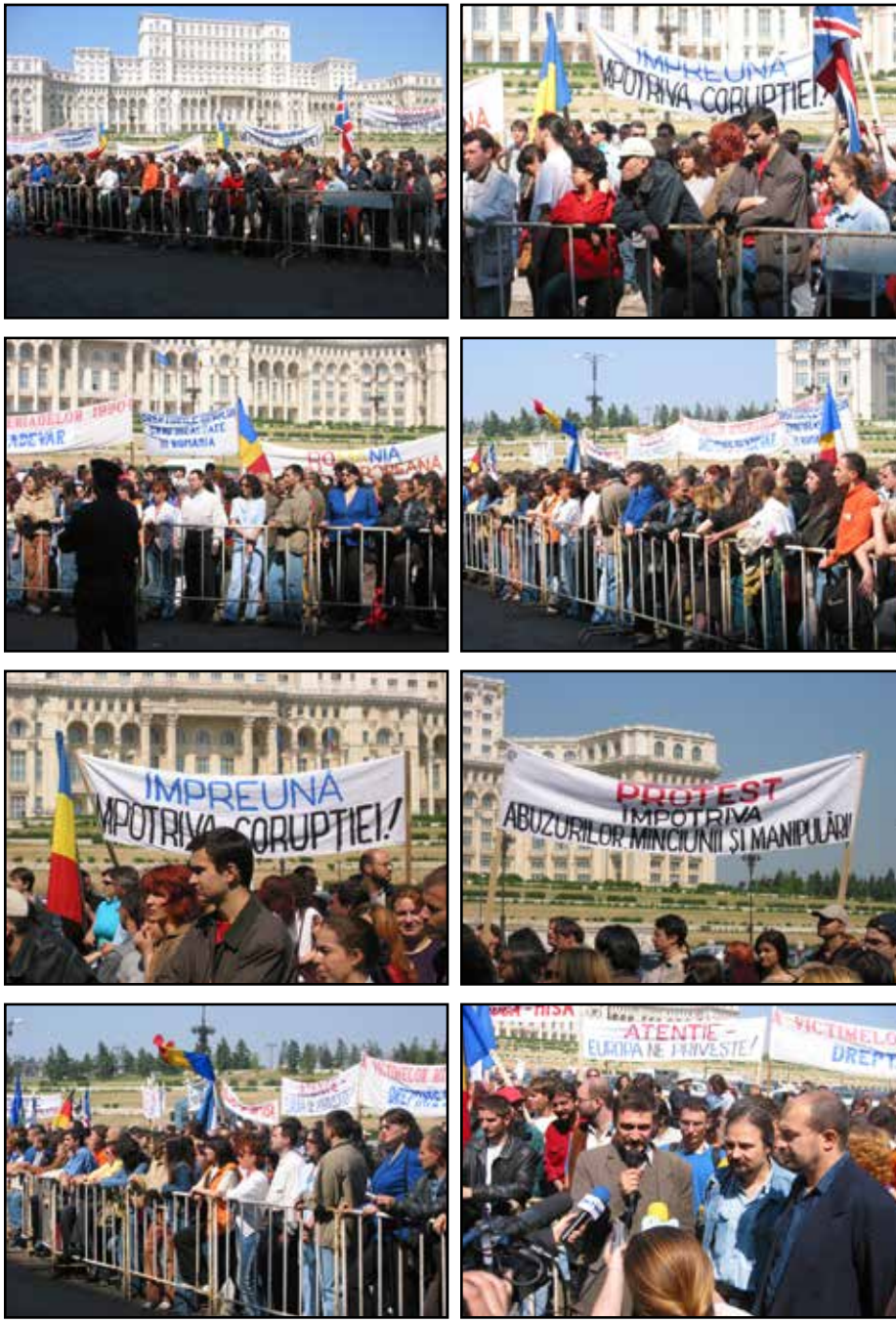
The European Court of Human Rights reached the same conclusion in October 2018, when it ruled that in the trial in which yoga teacher Gregorian Bivolaru was convicted for the alleged "*maintaining sexual relations with a minor*", more precisely, in the case Bivolaru vs Romania (case nr.66580/12), a violation of Article 6(1) of the European Convention on Human Rights was found, namely the right to a fair trial within a reasonable time. The ECHR ordered the Romanian State to pay Gregorian Bivolaru the sum of 6,200 euros in moral damages and court costs.

**BUT EVEN SO THE MASS MEDIA DID NOT REACT AT ALL!**

*Snapshots taken at the General Directorate of Social Assistance and Child Protection, Constanta, on 7th April 2004, where I was forcibly taken away by order of the police. I was also accompanied by my brother-in-law Marian Iordache there.*




*Various images from protest rallies by the yogis against the authorities abuses on the MISA Yoga School and me*




*Images from the Yogis' protest rally at the People's House on 12th May 2004*

*Images from another Yogis' protest rally at the General Inspectorate of Police, on 12th May 2004*

*Many protest rallies were organized by yogis between 2004-2005, in different locations in Bucharest, where they demanded the respect of human rights, the stop of abuses and injustices directed against the MISA yoga school*

## The Cluj trial

*The hardest thing of all is to find a black cat in a dark room, especially if there is no cat.* - Confucius

The second fabricated file, the one in which Gregorian Bivolaru and 20 yoga practitioners were accused of human trafficking, was tried in Cluj. In connection with this case, it is worth mentioning an unspeakable abuse, which was a sad first for Romanian justice. On 14 June 2007, the news of the referral of the MISA file to court appeared in the press, even though this had not been officially communicated to any of the 21 yoga teachers aberrantly accused of human trafficking in this file, as was required by law. When the 21 wrongly accused, as proven by the final sentence on this case, found out this on television, they were surprised to learn the next day on the Internet of the actual content of the indictment! Publishing the MISA indictment in the press is a serious illegality and unspeakable abuse. In this file of shame, the Romanian authorities have shown not only the extent of their incompetence and corruption but also the insolence with which they defy the law and the rights guaranteed by the Constitution to Romanian citizens.

The confidentiality of the investigations carried out by the Public Prosecutor's Office is theoretically guaranteed by law. Prosecutors are not allowed to make public the information from ongoing investigations; disclosing it is an abuse of office and is punishable. This is not only to guarantee the success of investigations but also to protect fundamental citizens' rights, such as the right to one's own image and the presumption of innocence.

If you are not a lawyer, you may imagine that it is common for the files to be made public once they reach court, even by the Public Prosecutor. This is not true at all. Only the people involved in the case, their lawyers and court officials, have access to the file and can obtain a copy of the indictment from the court.

According to the law, the prosecutor's offices can make public parts of the indictments "which are of public interest", but under no circumstances should certain personal information, such as the defendant's addresses or witnesses' contact details, be made public, which had now happened before everyone's eyes, without

any authority taking action. In conclusion, only certain information contained in the indictments can reach the press, but only after sending the case has been sent to court. The Public Ministry provides this information either as press releases published on the official website or directly to the journalists on request as photocopies (but never in electronic format). Personal information must be removed from the indictments.

Excerpts of the indictments were published on the Public Ministry website (http://www.mpublic.ro) in 2004 and 2005. It would be interesting to see on what criteria those cases were selected because it doesn't seem to be in the public interest. The general public would certainly have been very interested in the indictment in the Caritas - Sorin Ovidiu Vântu case or in the case of Gabriel Bivolaru, who embezzled the Romanian Bank of Development (BRD) or the Zambaccian indictment in which Adrian Năstase was accused. The public would certainly like to know information about the unfolding of the investigations into the December 1989 Revolution and the miners' revolts of 1990 and 1991.

Interestingly, since January 2006, not a single indictment has been published on the Ministry's website by the Press Office of the General Prosecutor's Office. The MISA indictment has not been published on the Public Ministry's website either but appeared directly on the website of the National Journal newspaper in electronic format. How did the electronic format of this indictment reach the hands of journalists from the National Journal?!

All the endeavours of the yogis accused in this file to request the investigation of the ones responsible for this abuse have invariably received the answer that nobody is guilty of this serious violation of the law. MISA yogis have repeatedly complained about the abuses of the Public Prosecutor's Office in this respect. The MISA indictment is the only indictment that has ever appeared in the post-revolution press.

What is the relevance of this case for the general public, and especially what is its relevance for the still extremely corrupt justice system in Romania? Certain unique aspects of the MISA case should give us food for thought - they all confirm that this case is, on the one hand, a diversion and, on the other hand, the product of a political order, as already revealed when the PSD transcripts were made public.

The real mafia-type networks, such as the famous Cămătaru and Clămparu clans, are not at all subjected to public disgrace, unlike the case of the MISA yoga school! In the MISA case, 21 yoga teachers were unjustly accused of allegedly "trafficking" 8 people who are claiming huge damages. All this is because they supposedly performed *karma yoga* activities to take care of themselves in the yogis' homes, where they lived for free! In the years that have passed since then, some newspapers, especially Ziua (The Day), Adevărul (the Truth) and Gardianul (The Guardian), have published certain libellous articles that not only quote the MISA indictment as a source but reproduced complete pages from it. The file in question was at that time under investigation and was protected by confidentiality according to the law. The question, therefore, arises, "How did they get into the journalist's hands?" Several situations of this kind have been reported to the CSM, the invariable reply being that the prosecutors handling the cases are NOT responsible for disclosing confidential information. Every time, although the violation is obvious, the CSM disqualifies itself - as an institution - and offends us as Romanian citizens, claiming that nobody gave this information to the press.

On 15 June 2007, the case in which Gregorian Bivolaru, together with 20 yoga practitioners, were indicted for human trafficking was sent to court. On 11 February 2015, after almost 10 years in court, the Cluj Court acquitted Gregorian Bivolaru and the other 20 people of all charges brought against them. Judge Ariana Ilieş of the Criminal Section of the Cluj Court made public the reasons for this decision: "*The real and obvious purpose of the indictment and prosecution of the defendants was not to hold them criminally responsible, but to dismantle this school of yoga by discouraging its members from exercising their freedom of conscience*". It was found that the March 2004 operation violated numerous procedural provisions and was, in fact, repressive in nature. Despite the huge volume of the indictment - over 1000 pages (100 volumes) - it contains no eloquent evidence. Thus, the court finds that "*only one-third of the contents of the indictment refers strictly to the facts at issue, while the other parts are an essay by a priest on the phenomenon of* MISA, *and the remainder is a psychological analysis of that phenomenon. It should be noted that such a volume of work by the prosecuting authority is an effort that can nevertheless be appreciated, but the court concludes*

*that it is not eloquent, precise, or unequivocal in order to resolve, from a legal point of view, whether the MISA phenomenon can be resolved in this way*".

After describing the facts, the judge shows that the accusations are mere suppositions. "*The entire judicial investigation has revealed the inconsistency of the accusations in the indictment; at this stage, all accusations proving their true nature, i.e. mere suppositions, deductions lacking verifiable support, making it more than obvious that the facts of the accusation either do not exist or do not meet the constituent elements of the offences for which the defendants have been indicted*".

The psychological reports included in the indictment are worthless due to lack of qualification and conflicts of interest. In the case of the report by Tudorel Butoi, the judge discovered that the psychologist appointed for the expert opinion did not have the necessary qualification at that time. "*It is clear that Mr Tudorel Butoi is recognised as a psychologist in the speciality 'forensic psychology and evaluation of simulated behaviour through polygraph technique' only from 12.04.2006 (two years after the report in the indictment was made) by certificate no. issued by the Romanian College of Psychologists. Basically, psychologist Tudorel Butoi illegally assumed the quality of specialist in forensic psychology by signing the technical-scientific report two years before he acquired official status, which automatically invalidates their conclusions.*"

As for the report produced by the Romanian Association of Psychologists, this cannot be taken into consideration because Irina Holdevici, one of the people who drafted it, is an expert in the SRI and is in a conflict of interest after the case was opened. "*The Court will find that the evaluation report drawn up by the Romanian Association of Psychologists on 28.12.2004 (pages 60-77, Vol. 72) is unlawful, namely the lack of neutrality of the signatories of the report, since it is the second 'psychological technical-scientific report' drawn up by university professors Mihaela Minulescu, Irina Holdevici and Ruxandra Răscanu on behalf of the Romanian Association of Psychologists. Irina Holdevici was, at the time of the report, Deputy Director of the SRI's Psychological Assessment Laboratory. She had been Dean of the Faculty of Psycho-Sociology at the National Academy of Information. As an SRI officer, the institution was involved in*

*opening the MISA file; Mrs Irina Holdevici is incompatible with the status of the author of an "expertise" that was supposed to be neutral and independent. Her involvement as an "expert" in the drafting of this report nulls its validity, making it profoundly unlawful.*"

The reasoning also highlights the illegalities and abuses committed by the authorities during the searches of 18 March 2004. The court states categorically: "*All the criminal procedural provisions governing this institution in force on 18 April 2004 were infringed during these searches*". These abuses and illegalities include the fact that the witnesses brought in by the investigative bodies were not impartial (they were female law students who had received a practising certificate from the prosecutors), that the search warrants related to charges other than those under investigation, that the searches were brutal and valuable objects were seized, which had no connection with the investigation. "*On 17.03.2004, the General Prosecutor of the Bucharest Court of Appeal Prosecutor's Office requested the Chief of the Romanian Gendarmerie, with a view to carrying out searches in the 16 buildings referred to in the Criminal Investigation File No. 720/P/2003, to provide the necessary manpower to carry out activities to combat drug trafficking and prostitution! Due to this express request, which contained false elements relating to the investigation, specially trained and prepared gendarmes and masked special forces were made available for such missions. These special forces were armed and proceeded to carry out barbaric searches, which resulted in the seizure of dozens of personal and even intimate objects unrelated to the subject of the search, and the persons identified in the searched buildings were subjected to a regime of mental and even physical torture for hours on end. The persons searched filed criminal complaints against those who carried out the searches, prosecutors and gendarmes*".

Among other arguments in this reasoning, we highlight the fact that the magistrate points out the abusive, misguided interpretation that the prosecutors give to the offence of human trafficking, as well as the idea that the so-called victims have demanded enormous amounts of damages (for example 5 million euros), without providing any justification for these claims. In addition, the reasoning pertinently points out the media manipulation in this case and the abusive, discriminatory treatment of the yogis following the events

of 18 March 2004. The whole document exposes the abuses of the investigative bodies, the media manipulation in this case and the serious violation of the presumption of innocence. The prosecutors investigating the MISA case have interpreted in a phantasmagorical manner the legislation in place, seeking to bring under the incidence of "*human trafficking*" the voluntary work carried out by the yoga practitioners. The press has made a huge scandal out of this accusation of human trafficking because it is associated by most people with undeclared work, but especially with prostitution. In reality, in the prosecutor's interpretation, the "*human trafficking*" mentioned in the file relates to the elementary self-care activities in the yogis' homes.

Here, however, it is the view of the court that analysed the indictment, the so-called evidence and the statements of the prosecution witnesses. "*Practically, this case is based entirely only on the completely illegal and out-of-context interpretation that the Prosecutor's Office gives to the term "karma-yoga" which it defines as "compulsory labour". However, the statements of both prosecution's and defence's witnesses, taken by the court, show what this concept means and why it cannot be associated with any form of exploitation.*"

Even so, the prosecutors should have explicitly stated what the "*human trafficking*" referred to in the case consisted of. Here is the judge's opinion: "*One cannot fail to notice, however, the complete lack of the necessary rigour in the drafting of an indictment... Thus, when describing the crime, only very general statements are made first, without any concrete indication of what the abuse of authority exercised by the defendant consisted of. The Public Prosecutor's Office does not indicate in concrete terms what the crime of human trafficking consisted of and what the evidence is to support these accusations, which are indicated for each civil party separately*".

An interesting argument put forward by the reasoning in support of the inconsistency of the human trafficking charge is that, after the March 2004 searches, none of the yogis who were interviewed had any complaints or accusations against yoga teacher Gregorian Bivolaru or other yoga colleagues and teachers. "*The brutal searches on 18.03.2004 carried out in the homes of yoga practitioners were aimed at discovering certain so-called illegal activities involving drug trafficking, prostitution, possession of*

*weapons, etc. No trace of such activities was discovered. Not even one of the several hundred yogis discovered in the houses searched claimed to be a victim of human trafficking, of exploitation through bondage. It is clear that if those in the homes of yoga practitioners from MISA had undergone traumatic experiences by being held in sordid conditions for the purpose of forced labour, then the so-called 'criminal investigation bodies' intervention would have proved 'liberating'."*

The "victims" presented by the Prosecutor's Office were among those who had long since left the yoga course because, despite the prosecutors' efforts, they had failed to persuade any of the yoga students to file a complaint against the defendants. *"The Public Prosecutor's Office made considerable efforts to find a few so-called "victims" among the former students who would agree to file criminal complaints in order to benefit from possible material compensation. They had left the yoga course many years ago since they no longer lived in the so-called "ashram" buildings. At the time they left MISA, they didn't file any criminal complaint. However, the civil parties in the present case have agreed to make these criminal complaints, referring to alleged acts that took place years ago."*

Who are the so-called witnesses? They are just members of three families. The fact that those who were allegedly trafficked did not file a complaint on their own initiative is further proof that all these accusations are false: *"It is highly relevant to the lack of veracity of these accusations that these persons did not file these complaints on their own initiative, but only following the intervention and request formulated by the criminal prosecution authorities. Nor did the civil parties propose any evidence to be added in support of the charges brought. Thus, the Public Prosecutor's Office is drawing up an indictment based only on the statements of these so-called "injured parties" without providing any substantiated evidence supporting them that would justify sending the defendants to trial."* The witnesses' lack of credibility is also due to the fact that they claimed huge damages without properly justifying those amounts. Here is one example: *"The civil party Costea Cornel have become a civil party in the criminal proceedings through a complaint filed in the case file, in which he claims the sum of €4.953.305, from which €666.666 are moral damages. He also specifies that out of the entire amount,*

*€666.666 should be paid by the defendant, Bivolaru, Gregorian, without giving any reasons as to what damage this defendant has caused him and what kind of damage it is. There is no evidence in the case file to confirm the existence of that damage and the fact that it was caused by the defendant, Bivolaru, Gregorian. The civil party's response to the court's question as to the significance of the amount of €666.666 indicated as moral damage is extremely enlightening concerning the seriousness of accusations and retribution requests formulated in the case: "The amount specified as retribution for moral damages is that fateful number with a malefic connotation."*

Moreover, the testimonies given by these witnesses in court show that they were in no way forced to do something against their will, and they have never been threatened in any way or coerced to do various activities by any of the yoga practitioners who were unjustly accused of human trafficking: "*Regarding the statements of the prosecution witnesses heard in the case, it should be noted that they do not contain elements leading to the establishment of the guilt of the defendants. Paradoxically, their analysis brings to light many elements in support of their innocence and, on top of that, it also uncovers many irregularities committed during the criminal prosecution (...) Extremely relevant to demonstrate the inconsistency of the prosecution's evidence is the way in which the prosecution's witnesses were heard in court. Their testimonies not only did not confirm the allegations but even refuted the existence of human trafficking.*"

Indisputable evidence of the fact that this case is a huge set-up and that it was fabricated at political behest is the case of Ionela Cristina Dumitru, the owner of the house where I and Mirona lived. Through fines, pressure and threats that she would be accused and sent to prison, she was forced by the ones from the prosecutor's office to change her testimony, in which she initially told only the truth. This is how her case unfolded: on 18 March 2004, she was woken from her sleep, just like us, physically and verbally assaulted by the gendarmes, massive quantities of personal belongings were seized without her being presented with any identification papers and in the absence of the lawyer she requested and who had been refused. She was humiliated, being able to use the toilet only in the presence of a gendarme. She was two months pregnant at the

time, and the shock she suffered led to some health problems and, ultimately, to a miscarriage. Not only did she not give in to the pressure of the prosecutors, but she fought back with a complaint she filed on 28 May 2004 against those who carried out the brutal search and demanded the restitution of the property that had been illegally seized from her. On 8 June 2004, she was picked up by a team of police officers from Constanța and taken to the prosecutor's office at the Bucharest Court of Appeal to be interrogated as a witness. Her lawyer was forcibly removed from the prosecutor's office. After the hearing, Cristina Dumitru informed her lawyer about the proposals of prosecutor Viorel Cerbu and police inspector Cristian Enache, who had questioned her "*to become an undercover witness and to benefit from some advantages*." She filed a complaint against the two. Her harassment ensued, including the imposition of legal fines, which in less than one month exceeded 40.000.000 lei (approximately €850), even though her absence from the hearings she was summoned to was justified and, anyhow, Cristina Dumitru gave testimonies on many occasions, and the summons were usually issued from one day to the next. For the 11 June 2004 trial, she was fined 10.000.000 lei (approximately €210), although she presented herself at the Prosecutor's Office. She was given a summons for a polygraph test. The interrogation was done by filming her close-up and under the threat of being charged with perjury. On 6 August 2004, without being interviewed and without being told of the charges, she was charged with participating in the offence of conspiracy of child trafficking along with the defendant, Gregorian Bivolaru.

On 13 August 2004, the coup de grace took place: the Prosecutor's Office of the Bucharest Court of Appeal ordered the case to be dismissed, and on 30 September 2004, the court summoned Cristina Ionela Dumitru, brought her in and heard her as a witness in the fabricated trial in which 21 yogis were accused of human trafficking. On 7 October 2004, she was brought back from Japan, where she had gone at her own expense after giving up yoga classes, and under threat, she gave a witness statement accusing her former colleagues of trafficking her. At the same time, she is removed from the first case in which she was accused of being an accomplice in child trafficking along with Gregorian Bivolaru and the restriction on selling her personally owned property is lifted. Gabriel Andreescu

writes about the case of Cristina Ionela Dumitru in his book *MISA – The Radiography of an Oppression*: "*The case of Cristina Ionela Dumitru demonstrates better than any possible recorded discussions or any incriminating documents of the prosecutors of the action of fabricating a repressive trial. It is as transparent as the odious communist trials in which the authorities didn't bother to hide their intentions.*"

Eventually, a few years later, she felt remorse and even gave a special statement in which she specified that she had withdrawn and did not consider herself an injured party in that trial where the accusation of human trafficking was being judged. This clearly showed that Cristina Dumitru ultimately chose this legal way to proceed precisely because, despite the real truth that she stated in the beginning, she subsequently, due to fear, played into the prosecutor's hands.

In her further reasoning of the decision, Judge Ariana Ilieș pointed out that the prosecutors tried to compensate for the lack of foundation of the charges and the lack of evidence with a general explanation that is, in fact, a violation of the presumption of innocence. Thus, they tried to justify their abuses with the incorrect idea that MISA is a sect and that drastic measures are being taken worldwide against sects. Even this presentation is false and manipulative, as the magistrate rightly points out: "*The indictment begins with an attempt to "justify" this effort to indict the group of those belonging to MISA, which the Prosecutor's Office calls an organised criminal group, with membership of this group being described as "membership of a religious group with sectarian overtones". This attempt to "justify" the drawing up of the indictment in the absence of convincing evidence is expressed at the beginning of the indictment in a so-called analysis of how these "sectarian phenomena" appear, from an international perspective. The aim is to convince the court that there is a veritable crusade within the international community, which is bent on hunting down and accusing religious, esoteric or spiritual groups – MISA being one of them. Through this presentation, the Directorate for Investigating Organised Crime and Terrorism (DIICOT) gravely undermined the presumption of innocence of the defendants. First of all, placing a group, without a proper study, in the category of a sect does not have legal implications in itself. Therefore, the inclusion in*

*the DIICOT indictment of a chapter on "the evolution of the sectarian phenomena worldwide" and their illegal activities, respectively, the measures taken by authorities against certain sectarian groups, is likely to create a hostile environment in which the defendants have been placed, thus undermining the equality of arms between the accusation and the defence. The information provided by DIICOT in the section of the indictment on the evolution of the sectarian phenomena is incomplete, incorrect and tendentiously presented. It cannot provide arguments for proving the guilt of the accused, all the more so in the context of a criminal trial".*

Last but not least, the magistrate points out that the prosecutors sought to manipulate public opinion through the information provided to the press, seeking to justify their brutal and unfounded actions by discrediting the yogis. Faced with a total lack of evidence to support the allegations, the prosecutors orchestrated a media circus to hide their incompetence. "*The brutal searches on 18.03.2004 carried out in the premises of yoga practitioners were aimed at discovering so-called illegal activities involving drug trafficking, prostitution, possession of weapons, etc. No trace of such activities was discovered [...] It is obvious that this failure had to be masked by "finding" an accusation that would have "importance" in the eyes of public opinion. The idea was put forward that the yogis' way of life, the activities carried out by them in the buildings they called "ashrams" to be interpreted, in fact, as human trafficking. In the absence of evidence, this forced interpretation of the incriminating text is in itself an illegal endeavour by the Prosecutor's Office. The absurd "excuse" invoked by the Prosecutor's Office is that the absence of evidence is, in fact, the result of "hiding" it.*"

The publication of the indictment and the obsessive repetition in the press of false accusations against MISA is clear proof that this is, in fact, a repressive action consisting of fabricated accusations: "*The publication of the entire indictment on the internet, even before the case was brought before the court, is ample proof of the pressure that existed during the investigation. At the same time, there is no better proof of the fabrication of a serious repressive action against MISA members and supporters than this inconsistency of accusations. Despite the hundreds of police officers, prosecutors, and SRI agents who worked on this case and the huge sums of money spent on this*

*investigation, all that was obtained was a few statements from adults who equated human trafficking with the voluntary work they claimed to have carried out in the homes called "ashrams", where they chose to live of their own accord, at their own request. They all claimed huge sums of money as compensation "for allegedly having been trafficked", although they were free to leave the homes in question anytime they wished and, although there is not even minimal evidence of their coercion to engage in any activity. The "hard work", the petitioners claim, was carried out by themselves as adults with discernment and consisted of activities inherent to a self-sustainable community."* The media manipulation was, therefore, intended to compensate for the fact that, in reality, the prosecutors had not uncovered any criminal offences that could have been indicted. "*The vast majority of what was published in the newspapers about* MISA *students had nothing to do with reality, taking into consideration their way of life [...] The media was used to incite hatred and violence among readers and viewers in order to "justify" the need for previous actions taken by the authorities against* MISA *practitioners, which did not have the desired "result."*

The Public Prosecutor's Office appealed against the criminal sentence no. 17 of 17.01.2020 pronounced by the Cluj Court, an appeal which was rejected as unfounded by the Cluj Court of Appeal by criminal decision no. 218/A/2021, in a public hearing on 16 February 2021. This decision is final.

## The arrest of Gregorian Bivolaru in 2016

*The greater the power, the more dangerous the abuse.* - Edmund Burke

On 29 January 2016, the Romanian authorities declared Gregorian Bivolaru as one of the most dangerous criminals in the country, putting him on the list of Europe's most feared terrorists and criminals.

Romania only had the right to nominate two people on this list, and the other Romanian nominee is serving a life sentence for multiple crimes. The Romanian Police seriously abused its right to use the Europol website and made the stupefying claim that Gregorian Bivolaru had an outstanding arrest warrant for "*sexual exploitation of children*" and "*child pornography*." These public accusations were completely illegal and false! The Romanian authorities were perfectly aware that the charge on which the MISA founder had been convicted was in no way "sufficient" for requesting his international arrest and his extradition from the country that had granted him political asylum, precisely because of the persecutions to which he is subjected in Romania.

The press and TV stations were given the task of "convincing" public opinion - or more precisely, to "alarm" and "incite" it to accept (without reason, and thus reacting) the same public lynching that was being carried out just as it was during the communist regime.

Clearly, Gregorian Bivolaru is a person who terribly disturbs certain structures that control important levers of power in Romania. Many of his aggressors are the ones who started their "job" during the Ceausescu era! This is precisely why, following countless flagrant violations of the law, he was convicted by a "kangaroo court" in 2013 on the basis of deeply illegal and unfounded charges.

After the prosecutor's attempt to incriminate Gregorian Bivolaru for *human trafficking* and the *setting up of a criminal group* (following those abominable and violent raids in 2004), the Cluj Court acquitted him. It is all the more relevant to notice in this circumstance the contradiction that one of the abusive accusations associated with Mr Bivolaru on the Europol website ("*sexual exploitation of children*") is completely meaningless in relation to the crime of "*human trafficking*," for which he had been acquitted!

We quote from the considerations of the judgement to acquit Mr Bivolaru by the Cluj Court: "*...nothing proves better the fabrication of serious repressive action against MISA members and supporters. Despite the hundreds of police officers, prosecutors, and SRI agents who worked on this case and the huge sums of money spent on this investigation, the only result was a few statements by some adults who equated human trafficking with voluntary work; they claimed to have carried out in the homes called " ashrams," where they chose to live of their own accord, at their own request.*"

Surprisingly, although the only crime for which Gregorian Bivolaru was convicted was a "*sexual act with a minor*," the yoga teacher was designated by the Romanian authorities as "*the most wanted criminal*," despite the fact that on the Romanian police website, in the "Most Wanted" category, it lists the names of some of the most heavily sentenced offenders. Here are a few examples of criminals wanted by the Romanian Police in 2016, many of whom are also wanted by Interpol with a European Arrest Warrant. Here are some cases taken from the Romanian Police's Most Wanted page: Mîzga Valerică was sentenced to 21.6 years in prison for first-degree murder. Chița Ioan was sentenced to 18 years in prison for murder. Cioancă Sebastian Decebal was sentenced to 15 years in prison for murder. Crețu Ioan Marian was sentenced to 10 years in prison for murder. Rodideal Vasile was sentenced to 18 years in prison for crimes against the guns and ammunition regime. Bulzan Marius Dan was sentenced to 12 years in prison for illegal high-risk drug trafficking. Yet, the Romanian Police considered that the crime of "sexual act with a minor" sentenced to 6 years in prison, is far more serious than any of the others mentioned above!

The ill-will of the Romanian authorities can most easily be seen by the fact that the charges brought against Gregorian Bivolaru on the Europol website have been falsified! On the Europol website, although the reference is to the Romanian Police website, Gregorian Bivolaru is accused of "*sexual exploitation of children and child pornography.*"

The difference is far greater than just be a confusion! In the first case (on the Romanian Police website), reference is made to only one "injured party" older than 17 years old, and in the second case (on the Europol website), reference is made to *several children under the age of 12 and human trafficking.* Can we talk about a simple error?! Taking

into consideration that this is an official document, which should have gone through many checks and procedures, it is absolutely obvious that we deal with an intentional falsification of data. This is a serious act of institutionalised discrimination, an outrageous act of defiance of the law and fundamental human rights!

This intentional violation of law was committed by the Romanian Police and not by the European Union authorities. The proof is on the Europol website, where at the bottom of the page, it specifies that the responsibility for the published information belongs exclusively to the ENFAST (European Network on Fugitive Active Search Teams) members in each country. "*The content of the website is managed and published by the national ENFAST teams of each EU member state.*" Without this abusive change of the charges, the name of Gregorian Bivolaru could not even be included in the criteria triggering Europol's action. He was convicted for the offence of a "*sexual act with a minor*," which is not one of the offences falling under Europol's remit, as defined by Decision 2009/371/JAI regarding the establishment of the European Police Office (Europol). This decision states that: "*Europol's remit includes organised crime, terrorism and other serious forms of criminality, as listed in the Annex, which affect two or more member states, so that a common approach by the member states is required, as a result of the scale, significance and consequences of the offences.*" The offence of "*sexual act with a minor*" is also not included here!

Therefore, the Romanian authorities *didn't have the legal right* to put Gregorian Bivolaru's name on this list of "*Europe's Most Wanted Fugitives*" since two important provisions were flagrantly violated: 1. The offence for which he was convicted does not fall within Europol's jurisdiction 2. The offence in question doesn't affect two or more European Union member states. This is the nature of the offences committed by the other people who were included by each EU member state on the "*Europe's Most Wanted Fugitives*" list, people who indeed hide from the authorities. They are serious offences, the majority being committed with violence: murder, grievous bodily harm, drug trafficking, terrorism, organised robbery, rape, kidnapping, hostage taking, membership of an organised criminal group, etc. Among those on this list are the heads of some mafia organisations, people suspected of organising the terrorist attacks in Paris in November 2015, etc.

How could Gregorian Bivolaru be put on the list of fugitives (in hiding) when the Romanian Police knew very well that he was a political refugee in another country (which also belonged to the EU)? Our authorities knew his address and have communicated with him on numerous occasions in the last 10 years since he has been under Sweden's protection. Gregorian Bivolaru, therefore, enjoyed the protection of the Swedish State, where he is a resident and performs his professional activity. The Swedish authorities have also issued identity documents for him under the provisions of the 1951 Geneva Convention regarding refugees, which makes the posting of his name on a website aimed at catching fugitives a flagrant violation of all the rights provided by this convention. Moreover, Gregorian Bivolaru complied with all the requests of the judicial authorities from Romania and was always assisted by lawyers of his choice. All this is ample proof that he is not a fugitive and that he is not in hiding, but on the contrary, he intends to exercise his fundamental rights in accordance with the domestic and international regulations referring to his status. Of course, the Romanian Police were aware of these facts, which is why the move to nominate Gregorian Bivolaru on Europol's Most Wanted list showed a continuation of the repressive actions against him by the Romanian authorities.

His nomination on the Europol website as one of the most wanted criminals in Europe led to the arrest of Gregorian Bivolaru in Paris on 27 February 2016. In another abuse, this time an international one, the trial which took place in Paris decided to extradite yoga teacher Gregorian Bivolaru to Romania, despite the fact that he had political asylum in Sweden. The way the Paris trial was conducted was a complete shock even to the defence lawyers, who had not expected such a completely unjust decision that flagrantly violated the law and ignored in a strange and inadmissible way the asylum status that Sweden had granted to Gregorian Bivolaru in 2005. According to the Geneva Convention, Gregorian Bivolaru had the right to free movement in the European area (including France) with the exception of Romania, and at the request of the Instruction Chamber of the Court of Appeal in Paris, the Swedish authorities pleaded firmly for the maintenance of Gregorian Bivolaru's political asylum status. The answer received from Sweden was - two times in a row - categorically and unequivocally to support Gregorian

Bivolaru and to clearly reaffirm all the valid reasons for which he was granted that status.

The decision of allowing the extradition request formulated by the Romanian State, therefore, appears as being totally inadequate and denotes a situation in which the French judges of the Court of Cassation ultimately had the duty to evaluate which of the Judicial Systems, the Romanian or the Swedish one, was more credible. The decision of the Court of Appeal totally ignored Sweden's position, and the judges of the Court of Cassation confirmed this strange point of view, which astonished and even outraged the Swedish authorities. This bizarre twist of events confirmed that the president of the judges' panel had received an order from behind the scenes. In fact, immediately after this decision, the judge in question retired from the profession.

Thus, on 22 July 2016, Gregorian Bivolaru was extradited to Romania. He remained in detention until 13 September 2017, when he was released from prison. The decision of conditional release was taken on 7 September 2017 by the Bistrița Court. Gregorian Bivolaru applied for conditional release a second time (the first request was rejected) because the legislation in place states that people over the age of 60 can be released on parole after serving one-third of their sentence. The time spent in prison in Sweden and France respectively added up to the length of his sentence, and thus Gregorian Bivolaru spent 2 years and 43 days in prison.

As early as 2012, steps were taken to expand the persecution of Gregorian Bivolaru internationally in case yoga teacher Gregorian Bivolaru *was released*, or the strategy to destroy the MISA Yoga School from Romania would fail. Several so-called investigations and even persecutions against other yoga schools from abroad connected to MISA Yoga School have taken place, and such oppressive operations were carried out in Italy, and then in other countries such as Uruguay, Denmark, Finland and Germany. The actions taken everywhere followed a very easily identifiable pattern: they were looking for even one student who had previous conflicts either with the teachers, or with fellow students from the course, or even a parent who was somewhat unhappy by the fact that their adult "child" was attending the courses of the yoga school in that country. They were then presented with scandalous material that came from the Romanian mass media, and such people were bombarded with

so-called evidence or other video materials that were sent by some agents paid to denigrate MISA abroad. These agents included Roxana Mălina Chirilă and Cecilia Ghițulescu Tiz. The latter has even been charged by a German court for slander and denigrations expressed by her both against the school in Germany and Gregorian Bivolaru. A few weeks before Gregorian Bivolaru's release from the Bistrița Prison, the Finnish authorities visited him, making him aware that they were investigating him for alleged acts that would have taken place between 2007-2011. On that occasion, Gregorian Bivolaru requested to receive and be given the opportunity to study all the accusations made against him. Instead of fulfilling this procedural request, a very long period of silence followed. Astonishingly, only a few days after the release of Gregorian Bivolaru, without having summoned him, without having provided him with the evidence that would appear to exist, and without respecting his right to a fair trial, Finland bizarrely issued a pre-trial detention warrant in flagrant violation of the laws in force.

In fact, anyone who has the minimum knowledge of such an investigation can easily see that the Finnish judiciary has flagrantly violated the provisions of international law and, in defiance of the provisions that have existed for many years in the European Court of Human Rights, has ventured to order, in an aberrant manner, the arrest of someone without having carried out a minimum personal investigation of the human being whose arrest has been arbitrarily, illegally and abusively ordered.

Beyond appearances, what is happening, in this case, is a carbon copy of the threats that Gregorian Bivolaru received in some anonymous letters, and the situation he is confronted with proves beyond doubt that they want him to be re-arrested and kept in prison without any evidence and without any legal basis.

It is significant that all these aspects that Gregorian Bivolaru is facing now were explicitly summarised in a threatening letter received by him on 11 July 2016 at the office of his lawyer, named Patrice Spinosi, based in Paris. This letter contains the following statements: "*You will see for yourself that we will do everything possible to destroy you by keeping you in prison for many years.*" *and* "*You have no chance, you wanted to fight against us, but you are too small to succeed.*"

## New flagrant violations of human rights

*Injustice anywhere is a threat to justice everywhere.* - Martin Luther King

The outrageous illegalities committed by the Romanian State in the MISA case - especially in the brutal raids in 2004 - have been reported by numerous human rights organisations, by dozens of MEPs (Members of the European Parliament), as well as many respected journalists from different EU countries. Various human rights organisations have presented the MISA case with the utmost concern because it shows that the state of Romanian society is far from a functional democracy. The report of the Association for Protecting Human Rights in Romania - Helsinki Committee (APADOR-CH) regarding the situation of respecting human rights in Romania in 2004 and the report drawn up in 2006 by the independent organisation Society for Justice (SoJust) speak about the MISA case.

As regards my case, in April 2004, APADOR-CH carried out its own investigation into the events of the raids of 18 March 2004. Here is an extract referring to me from the conclusion of the report: "*Among the abuses committed by the authorities in the MISA case, one is striking in its gravity: the inhumane and degrading treatment to which the 17-year-old minor Mădălina Dumitru was subjected. Although she was only a witness in the case against Bivolaru, Gregorian, the minor was detained on 18 March 2004 during the raids on the home where she lived, and she was treated like a criminal. She was deprived of her liberty, subjected to pressure and violence because she retracted an initial statement, which was extracted to incriminate the MISA mentor.*"

It was no use the authorities falsely claiming they were acting for my own good. Not only was I not protected, but I was treated completely the opposite way. I even ended up in the paradoxical situation where I was placed under house arrest and, in addition, guarded and followed at all times by large numbers of police officers so that I could not escape from the place where I was being held, with the complicity of my family. This happened even though I hadn't committed any criminal offence that would justify such a major action from the Romanian State authorities. I was, in fact, a poor pawn whose fate was of no importance to the Romanian authorities.

Given that I was in my teens at that time, everything that happened - the degrading and inhumane way in which I was exposed, slandered and mocked in public through the mass media and the public statements of the investigators, as well as the whole scandal that accompanied the case into which I was dragged through no fault on my own - left a damaging mark on my being. I believe that nothing can compensate for the absurd and inhumane way in which I have been treated by the authorities of this country, with the utmost brutality. I was unable to finish school. Although years and years have passed since those events, I still feel deeply the effects of the emotional trauma I suffered then. I often have panic attacks, sometimes just at the sight of a policeman, a gendarme, a prosecutor or a judge, at the sound of sirens or sudden noises in the dark.

It was repeated obsessively that in 2004, I was still a minor. There was a lot of talk about my so-called rights. All the abuses I was subjected to have been justified by the idea of respecting the rights of minors. Rights that were violated by the authorities themselves. Rights that I didn't know about. That is why I subsequently researched what the law actually states. It is said that the protection of minors is one of the noblest responsibilities of a state. The Romanian State has trampled all over these rights that I should have had as a minor. Studying the law, I counted more than 17 articles that were flagrantly and abusively violated by the Romanian authorities in my case, from the Convention on the Rights of the Child, adopted by the United Nations General Assembly on 20 November 1989, ratified by Romania through law nr. 18/1990.

The researcher Gabriel Andreescu also speaks about the importance of protecting minors, including by referring to my case, in his book "MISA. *The radiography of a repression*." "*Because of the seriousness with which the issue of child protection must be viewed, any abuse of principles, any hypocritical treatment, any symbolic exploitation and any gratuitous grandstanding becomes repulsive. Playing the child protection game to hide extraneous goals is counterproductive. It compromises the very idea of protection, attacks the height of the principle and thereby dilutes its meaning. Manipulating regulations designed to protect children in a way that strikes at their dignity and interests is incalculably culpable. A thesis at the foundation of modern liberal democracies is not to see your*

*fellow man as the means. This profound idea has a particular stake when the person in question is a minor. One of the most reprehensible consequences of the efforts to destroy MISA and its spiritual leader has been to turn minors into an instrument of repression.*"

Because the accusations of illegal drug trafficking and arms trafficking, prostitution, and illegal business dissolved into nothingness, the prosecutors found refuge behind the so-called "concern" for a minor. How did they do this? They investigated the "*potential victims of abuse*" by trying to trick them, intimidate them, wanting to extract from them or to put into their mouths words about an alleged sexual relationship with Gregorian Bivolaru. My case was not singular in this so-called investigation hunting down Gregorian Bivolaru. This harassment of girls who were still minors and who were attending MISA classes was practised in order to obtain new accusations. Starting in April 2004 and in the following months, the Romanian investigators feared that the charges with which they intended to incriminate Gregorian Bivolaru might be quashed by the fact that I made public the way they forced me to sign that false statement. So shortly after, they started a real campaign of identifying, interrogating and threatening former and current students at the MISA Yoga School. Many girls who were minors at that time have been interrogated as witnesses, among them Miclăuş Mihaela, Matei Florentina Adnana, Teodorescu Aurora Steliana, Cântea Codruţa, Câmpean Ioana, Atanasie Camelia-Roxana, Orjanu Andreea-Cristina, Lazăr Ioana, Turc Adela, and others. All these minors declared that they didn't know Gregorian Bivolaru personally and did not have sexual relations with him.

In Gabriel Andreescu's work "MISA. *The radiography of a repression*," there are more details about the harassment of underage girls to obtain new incriminatory statements against Gregorian Bivolaru. "*The efforts to legitimise the considerable mobilisation of state institutions against people who practised, among other things, tantra yoga, would find a weighty argument if MISA had been identified in the public eye as an organisation of the corruption of minors. Because Mădălina Dumitru's case was so obviously fabricated and so difficult to sustain, the Prosecutor's Office launched a major search for other so-called "victims" from the ranks of those who had attended yoga classes at the MISA Yoga School. It should be noted that*

*there have been no complaints of this kind. But above all, it should be noted that ten years of surveillance of the Movement's activities would have led immediately to the discovery of crimes. Who can imagine that the prosecutors who have been searching since 1995 for the slightest evidence of MISA's criminal nature would have missed the opportunity to charge the perpetrator of such an (alleged) paedophilic act? Such details present a strong argument for concluding that it was not the concern for the situation of minors that motivated the investigation of the people who attended the yoga classes before they turned 18. After the great assault of 18 March 2004, numerous families received invitations from the Prosecutor's Office to be interviewed regarding the participation of their children in the MISA yoga classes.*

*In some cases, the prosecutors tried to force a face-to-face discussion with the girls in the absence of their parents or a lawyer. The very minors for whom protection was claimed were subjected to such traumatising situations. The majority of parents and children who spoke out about such situations were afraid to give statements, being strongly affected by the violence of 18 March 2004 and fearing subsequent harassment. The nature and atmosphere of investigations performed by the Prosecutor's Office can be presented to the public today as a consequence of two exceptions to this pattern of fear: those of Andreea Orjanu and her parents, respectively Mihaela Nicoleta Miclăuş and her sister Cristina Miclăuş."* These significant examples, similar to my case, are detailed in Gabriel Andreescu's book.

Some foreign associations, as well as some MEPs, have also taken a stand on the violation of the human rights of yogis in Romania. The Centre d'Information and the Conseil des Nouvelles Spiritualités (CICNS) in France, a non-governmental organisation with special consultative status at the United Nations, presented the MISA case as a typical example of an attack on a spiritual school. The MISA case has been presented at various international conferences on human rights, such as the Organisation for Security and Cooperation in Europe (OSCE) expert conferences and European Commission workshops. Several MEPs, including Danish MEP Ulla Sandbaek, Ulla Antilla - spokesperson for the Parliamentary Committee on Human Rights in the Finnish Parliament, Elmar Brok – the Chair of the European Parliament's Foreign Affairs Committee, Swedish MEP Carl B. Hamilton, have raised discussions about human

rights and legal violations in the actions of 18 March 2004, and the Romanian State has been repeatedly questioned on the abuses carried out in Operation "Christ". The response of the Romanian authorities has each time eluded clarification of this case. In recent years, independent associations such as Soteria International and the League of Anti-Defamation of Yoga and Spiritual Movements (LAYMS) continue to regularly bring the MISA case to the attention of international forums. An analysis of the violations of the European Convention on Human Rights in the MISA case has been published on the Soteria International website http://soteriainternational.org.

In June 2013, Willy Fautre, President of Human Rights without Frontiers Int'l (HRWF Int'l) Brussels, drafted a report following the legal actions from 8-16 May 2013 in Bucharest to investigate a wide range of problems faced by yoga practitioners in Romania. The Brussels-based Non-Governmental Organisation (NGO) interviewed numerous MISA members, participated in one of the court hearings at the ICCJ, spoke to many human rights state institutions, and visited many MISA locations. Here are brief excerpts from the report: "*This yoga school is beneficial and contributes to the well-being of people. MISA is a peaceful, beneficial movement, and its members and practitioners within this school just want to have the freedom to live according to their beliefs and enjoy the freedom of expression, freedom of association, and freedom to gather together. I wanted to look into this further because I saw some similarities to some groups I have investigated that have been victims of social hostilities and media ostracization. In short, the hidden aim of the authorities was actually to destroy and dismantle the yoga school by discouraging its members from exercising their fundamental rights. We were astonished by the violence shown by the police during the raids on 18 March 2004 and their lack of respect for the yoga practitioners, but especially for women, who were dragged out of their beds at gunpoint, being scantily dressed at the time, filmed without their consent. Then those images were repeated again and again on Romanian television.*"

I also met with the representatives of this association. My case also appears in their report: "*In the last 9 years, Mădălina Dumitru has been summoned many times to court hearings. Her life has been completely destroyed by the Romanian Judicial System and the media. Over the course of the interview, she was indeed overwhelmed by*

*uncontrollable emotions, and she had a very traumatised expression because of this experience, which seems to be never-ending.*"

Another flagrant case of violations of fundamental human rights, shocking in itself, is that of Dana Ruxandra Atudorei (née Crăescu). Her story may seem unbelievable. Everything she describes is backed up by documents and official findings. It took the European Court of Human Rights (ECHR) decision of 16 September 2014 for an outrageous abuse created and tolerated by the Romanian State authorities to be exposed and sanctioned. Dana has lived through nightmarish moments, having been forcibly admitted twice by her own parents to a psychiatric hospital in order to prevent her from attending the MISA yoga classes. No medical document ever indicated that this girl had any psychiatric illness.

Nevertheless, Dana was sedated with extremely strong neuroleptics (anti-psychotic drugs) in a completely illegal procedure that was covered up by several state institutions. Moreover, based on this case, the authorities sought to collaborate with the press in order to manipulate public opinion, claiming with audacity that yoga practice within MISA could be very dangerous. Later, speculating on other somewhat similar cases, criminal cases were invented with the justification that the parents of young people practising yoga in MISA would be in despair and that MISA would be a menace destroying Romanian society. When, during an interview given after her victory at the ECHR, she was asked if she was satisfied with the justice she had received, she said, "*It is relative to say that justice has been served in my case. I say this because if you think about it well, all the abuses that were committed against me have actually been paid for with citizens' money. They paid for the hospitalisation, they paid for the neuroleptics, for the prosecutors, police officers, judges, magistrates, and now, to top it all off, they're also paying the compensation. Those who are guilty are still in office, and it is very likely that citizens will continue to pay in the future for other illegalities that prosecutors such as Fântână Rodica, Sandu Elena and Marius Iacob commit during an ordinary day at work, covering for each other. For me, it is more of a moral victory, a restoration of my dignity as a human being. But my health, my stolen youth, the media scandals, the public humiliations, none of what I suffered can be redeemed. The €15,600 that the Romanian State was obliged to pay*

*for me is a very small amount compared to the scale of the abuse. Just think that I have been in court for nine years, I have had eight lawyers, I have exhausted all legal procedures available to me in Romania, I have gone from court to court, term after term, month after month, year after year. In the initial stages, one of the cases was split, and at one point, I had three cases at the same time, in three different cities, plus the one at the College of Physicians.*"

Dana turned 21 at the Nifon Psychiatric Hospital. For her birthday, she received a new dose of Leponex, an extremely dangerous drug with extremely harmful side effects, which is only administered in very serious cases of schizophrenia when the patient doesn't respond to any other form of treatment. She had never been diagnosed with schizophrenia and had never received any medication for psychiatric disorders before. They gave it to her directly, without a specialist consultation, without a committee, as required by law. During this time, following complaints and numerous requests made by her boyfriend (now her husband), a policeman came to Nifon Hospital, where she was being held. When she saw him, she told him she had been brought there forcibly, but he was not interested in listening to this at all. Do you know what he told her? That when she gets out of the hospital, she can file a complaint against her parents! Because of his indifference, she received daily two more months of *Leponex*.

Later, after her release from the hospital, the same police officer, whose name is Compotecras Anghel Gheorghe, was driven by her father in his car to a place where her family kept her isolated, at her grandparents (in a village in the Bacău county), so that she would not be able to contact anyone. They sat him down and gave him food and drinks, and in the end, the police officer persuaded her to sign under pressure and threats that she does not seek any investigation against her family! Her fiancé made many complaints to all institutions, and for this reason, her parents and the policeman wanted to take some safety measures. Dana told that policeman the truth, she cried and told him what she had been going through, but it didn't matter. That officer then made a report with a proposal for stopping the criminal investigation as a no prosecution (NUP) against those whom her boyfriend had filed the complaint of deprivation of liberty. He wrote in that report that "*no elements could be detected in the case that would lead to the conclusion that Dana Crăescu's*

*parents acted against her will*". Then, his proposal of NUP was supported by his superiors, the prosecutor Curea Nicolae and the first prosecutor, Fântână Rodica. What this first prosecutor from Bârlad officially wrote in her resolution is absolutely astonishing. She says that because her parents had seen on TV what was being said about MISA, it was natural to take her by force, even though Dana was already legally of adult age: "*In the context where her parents had seen on TV and learned from the press what was happening at MISA locations with females and young women, it was only natural to bring their daughter home by all means possible, and to try to help her physical and psychological recovery.*"

In the observation form of the psychiatric hospital, it was written in the reasons for admission that she "*adheres to informal and non-cultural groups*" and it was specified in the form that it was MISA.

Romanian prosecutors have given eight NUPs to Dana's complaints. There was only one prosecutor and one judge in 10 years who ordered an investigation into the case, but their colleagues made sure that no real investigation took place. Her applications have been rejected five times in Romanian courts, including by the nine-judge panel at the ICCJ. No one has ever objectively investigated her case in Romania. Dana didn't matter to the mass media either, she was just a meaningless pawn they used in their manipulations. The fact that her life was destroyed was, for the journalists, a totally "collateral" fact. They repeatedly said publicly about her, in the context of the so-called "MISA scandal", that she was insane, although she had never been diagnosed with a mental disorder that could be considered to impair her judgment.

No matter how many psychological abuses she was subjected to, no matter how many hospitalisations, neuroleptics, and medical procedures were performed, she was never declared insane. Her whole ordeal with the press started on "PRO TV News". Immediately after the raids in 2004, they said on PRO TV that the crackdown was triggered by complaints from many parents, and of these many parents, practically only her mother was on all TV stations, and she was talked about. Other TV shows and articles followed in which she was always given as a bad example, as a justification for the accusations against MISA. There were so many shows that she lost count of them. Only one presented the facts fairly, with a real journalistic

investigation. It was broadcast on a TV show titled "*Ochiul Magic*" (The Magic Eye) on TVR and was made by a reporter called Marius Georgescu. Only one objective TV broadcast in 10 years! From what Dana heard, that reporter, Marius Georgescu, got into big trouble for having the courage to tell the truth on that TV show.

Two years later, another victory for the yogis followed at ECHR. On 26 April 2016, the ECHR ruled that the Romanian state authorities had committed a chain of extremely serious abuses in the simultaneous raids on 16 homes of MISA yoga practitioners on 18 March 2004, involving more than 300 gendarmes, masked officers, prosecutors, police and SRI officers. The application to the ECHR by the 26 MISA yoga practitioners against the abuses suffered during the March 2004 raids resulted in the Romanian state being obliged to pay damages of almost €300,000 to the 26 yoga practitioners.

The original application was made in December 2009 by 26 MISA yoga practitioners to the ECHR to take into consideration the abuses suffered during the March 2004 searches. Before appealing to the ECHR, the victims of the abusive searches went through all the possible and legal steps described by domestic law, and, after a gruelling and absurd process involving five years of successive terms, the Romanian Supreme Court of Cassation and Justice, represented by a panel of nine judges, decided that no rights of the petitioners had been violated. In the face of this astonishing stubbornness of the Romanian authorities to find the MISA yogis guilty at all costs, after 12 years, the ECHR has given them a ray of justice.

The European Court of Human Rights found that there was no proper investigation into this case, that the applicants' fundamental right to privacy was violated, and that most of them were illegally detained and even subjected to certain forms of torture and degrading treatment. More precisely, three articles of the European Convention on Human Rights were flagrantly violated: Article 3 (referring to the prohibition of torture), Article 5 (referring to unlawful deprivation of liberty) and Article 8 (referring to the violation of the right to respect the private and family life).

The following are some eloquent excerpts from the ECHR judgment: "*There is nothing in the case file to suggest that the applicants had a history of violence or behaved in such a way that might have posed a danger to the gendarmes called to search the*

*premises. (...) The purpose of the police operation was not to arrest the alleged members but only to collect computer materials that may have been in the buildings. (...) From the documents available to the Court it shows that the activity of MISA and its members have been closely monitored by the authorities for many years. Therefore, it was not a hazardous operation of the nature to generate unexpected developments that the officers called there would not be prepared for. On the contrary, the authorities premeditated the operation and had sufficient time to assess the possible risks and take all necessary measures for carrying out the search without resorting to excessive force.*

*The court also noted other deficiencies in the preparation of the operation. Although the search warrant was limited to the seizure of computer equipment, this fact was not brought to the attention of the gendarmes from the special battalion of Gendarmerie. The latter were informed of an operation to combat drug trafficking and prostitution, and therefore, they committed a force specific to this kind of high-risk operation.*

*The complainants also denounced the absence of an effective investigation into the allegations of ill-treatment. The Government considered that the evidence on file justified the classification, which was approved by the Prosecutor's Office of the High Court of Cassation and Justice (PICCJ) on 16 May 2005. Moreover, the Government considered that the PICCJ conclusions corroborated those of the Military Prosecutor's Office regarding the main allegations and with the report of the Judicial Inspectorate of the CSM (...) The Court particularly regretted the absence of any attempt to administer evidence and to hear witnesses in order to verify the course of events, the exact circumstances in which the applicants were brought in, and the possible discriminating connotation of the ill-treatment complained of.*

*The Court notes that in order for police to be allowed to take a person to the police station for verification of their identity, two conditions must be cumulatively met; the inability of the person being checked to prove his/her identity under the conditions laid down by law and the suspicion that a criminal offence has been committed. The Court finds that one of those conditions has not been satisfied in the present case.*

*The Court notes that the applicants were not the subject of any investigation prior to the search.*

*It is apparent from the circumstances of the case that the applicants were detained at the Prosecutor's Office for the sole purpose of being questioned in the criminal case against Gregorian Bivolaru and other members of MISA. However, they were at no time informed either of the reasons for their presence before the prosecutor or of their status as witnesses. The Court finds that there is no legal basis for depriving the applicants of their liberty.*" The same facts for which the ECHR sanctioned the Romanian State were also examined by the Superior Council of Magistracy (CSM) in February 2006. The CSM found no guilty party.

*Images from another rally of yogis in June 2004, which started at the People's House which was then surrounded by a human chain made of participants*

*Also at the rally on 24th June, the participants then created a huge column, demonstrating further on the streets of Bucharest*

*At the end of the rally on 24th June 2004, the column of yogi participants surrounded Piata Victoriei, demonstrating in front of the Romanian Parliament.*

# THE SHADOW STATE THINKS THAT THEY ARE

# THE SO-CALLED "ILLUMINATED" ONES

# IV. BEHIND-THE-SCENES POLITICS

*Where there is little justice, there is a danger of being right.*
- Francisco de Quevedo

## The Communist legacy

*A society becomes totalitarian when its structure becomes flagrantly artificial: that is, when its ruling class has lost its function but succeeds in clinging to power by force or fraud.*
- George Orwell

### *Yoga practice was forbidden under communism*

In order to find answers to the questions that had been bothering me all these years, I sought to find out why yoga is regarded with so much hatred in Romania. To understand the post-revolutionary socio-political context of the yoga movement in Romania, the research of Gabriel Andreescu, university professor, lecturer at the Faculty of Political Sciences in Bucharest (SNSPA), well-known human rights activist, publicist, writer, and former dissident of the communist regime, is significant. His work has led to the publication of two volumes: *Repressing the Yoga Movement in the 1980s* (Polirom Publishing House, January 2008) and *MISA. The Radiography of a Repression* (Polirom Publishing House, April 2013), a volume that appeared in a later edition with some MISA additions. *The radiography of a repression updated* (Shambala Publishing House, 2017).

Here is the conclusion reached by Gabriel Andreescu following all the years of research into the phenomena of repressing the yoga movement, before and after the 1989 revolution:

"*The history of denigration began in the 1980s when Securitate officers (the secret police agency of the Socialist Republic of Romania, known officially as The Department of State Security) were given the task of destroying the yoga movement. The group of yoga practitioners who were close to Gregorian Bivolaru and the teachers prepared by him, namely Nicolae Catrina, Eugen Mîrtz, Narcis Tarcău and others, resisted the repressive actions for about eight years. At the end of the decade, in 1989, the Securitate was responsible for certain police*

*measures, which led to the imprisonment of some of those who resisted and the sending of Gregorian Bivolaru to a psychiatric hospital. The group led by Gregorian Bivolaru is perhaps the only example of a long collective resistance during the Ceausescu regime. The data existent in the files and the subsequent evolution of events show that the yoga practitioners resisted. They didn't give up practising the discipline. They didn't ask for emigration to the West. The Securitate officers used all methods possible: arrest, psychiatric internment, inhumane treatments, warnings, threats, coercing the yogis to accept collaboration agreements.*"

The Bucharest Municipality Securitate regrouped after the 1989 Revolution into UMN 0215 and then the Romanian Intelligence Service (SRI). I continue quoting Gabriel Andreescu: "*Taking over in March 1990, the vast majority of the Securitate officers involved in the affirmation and perpetuation of the communist regime, SRI internalised their interests and mentalities inside the institution, some of them giving new life to certain files. There are strong arguments supporting the role of the people who, in March 1990, obtained stable institutional cover from the new Romanian Intelligence Service, in the initiation of the hunt for MISA. The surveillance operation of the yogis was inherent in the troubled post-revolution months. The amplification of the Movement led former Securitate agents to directly intoxicate journalists and public opinion through undercover press agents or indirectly by delivering inciting information to young journalists, who had neither the professional experience nor the normal self-censorship of a responsible journalist. They created such a repugnant image of MISA practitioners that the "vigilant" citizens and the families of yogis started to address the institutions. Some members of Parliament took the opportunity to make political capital from this issue. The police and other law enforcement agencies took "measures" on their own initiative to show themselves "useful" or, feeling themselves pressed, acted with a complete lack of consideration for principles and regulations. The institutional scandals further fuelled the furious mass media campaigns, which created new pressures on the institutions. Most probably in 1996, after reaching the critical threshold of public hostility towards MISA, the SRI decided to involve itself openly in the repression of the victims who escaped the lethal measures of 1989.*" The researcher concludes

that: "*The Romanian Intelligence Service found a way to treat the MISA community as a matter of national security and consequently try to destroy it by placing it in its own backyard.*"

From Gabriel Andreescu's perspective, the attacks against MISA represent the most abusive and unspeakable violation of human rights in Romania in the post-revolution era. The files processed by the prosecutors can be explained by the need to fabricate something, to knowingly construct a dangerous criminal, just as they did during the communist era with those who troubled them.

The military prosecutor, Brigadier General Dan Voinea, during his time as chief of the Military Prosecutor's Office at the ICCJ, investigated the complaints against military personnel made by the 200 or so yoga practitioners who were victims of the brutal searches of 18 March 2004. General Dan Voinea reopened the investigation after his subordinate had declared no prosecution (NUP) over the actions opened by the victims, interviewed the injured parties, some gendarmes and police officers and proved that the persons involved in the repression belonged to the Romanian Intelligence Service (SRI). Given the fact that military prosecutor Dan Voinea's investigation has come to identify several perpetrators within the structures that participated in those brutal searches, through his bold, fair and objective investigation that he undertook, it can be said that this man was and remains to date the only representative of the official structures of power who has revealed, even if only partially, given the haste with which the Ministry of Justice and the General Prosecutor's Office did everything to "shut him up", the serious abuses, the thefts and the great injustices to which the yogis were subjected during the searches carried out in force. Shortly after the investigation began, General Dan Voinea was removed from office, and the criminal file in question, in which those who had seized various personal belongings and valuables during the searches were charged, was classified and was never submitted for trial because it received a no prosecution decision (NUP).

In an interview given by Dan Voinea, after he was dismissed from his post, he declared: "*The MISA file was taken from me, it was given to some civil prosecutors, I was removed from my post, and the file never made it to court. After I started to have some results during the investigation, some people from the leadership of the Ministry of*

*Justice at the General Prosecutor's Office were immediately alerted, and an investigation was launched against me. It was a disciplinary investigation. I was very soon removed from my position. This puzzled me because I was unable to fulfil my duty to the victims who complained about that brutal repression against them. Those people from the leadership of the Ministry of Justice at the General Prosecutor's Office (Parchetul General) had come up with all sorts of imaginary accusations all sorts of rumours related to the MISA movement in order to compromise it. In which, of course, the press was obviously involved.*"

Dan Voinea explained that at the origin of actions directed against the MISA yoga school, there is an older history related to yoga and Bivolaru. Although in 1989, the communist regime was overthrown, the administration remained the same. An obvious proof of the continuity of abuses against the yogis after the 1989 Revolution is the fact that the same prosecutor who investigated Gregorian Bivolaru in 1984, respectively prosecutor Anton Chaborski, also investigated him in 2004 when he was arrested. This prosecutor was an active operative part of the Bivolaru case before the revolution but also afterwards.

Here is what Dan Voinea stated: "*In fact, originally, it was an action triggered by Ceausescu's Securitate against the yoga movement, and it continued after the revolution with the informative surveillance of more than 100 people, all yoga practitioners. This is a Securitate practice, that is to say, to persecute a group of people who demonstrated for freedom of thought and for spiritual freedom in a cultural manner, such as transcendental meditation and the yoga movement generally. This was a Securitate practice in cahoots with the judicial bodies, especially those from the prosecutor's office.*

*I discovered that, in fact, what happened in March 2004 was a nefarious continuation of the*

*Ceausescu regime, and thus I found out that Gregorian Bivolaru was a helpless victim, both of the savage repression and appalling abuses and terror exercised upon him by the bodies of the sinister Securitate. The erudition and spiritual accomplishments gained through perseverant yoga practice earned Mr. Bivolaru the title of professor at the International Vishwaguru Himalayan Yoga Institute in 1990, and he then became an authorised professor at the High*

*School of Research of the Universal Peace Academy in France. In 1971, he began teaching his first yoga classes. It was also during this period that he started to be monitored by the State Securitate because of his correspondence with the great historian of religions, Mircea Eliade, who was considered by the communist regime as an enemy of the people, because of his preoccupations regarding the yoga system and Eastern mysticism. Gregorian Bivolaru's house was raided under the pretext that he was hiding weapons. After a thorough investigation, all his books on Oriental philosophy and esotericism were confiscated, along with his correspondence and notebooks. The fact that he came into contact with Eliade, not knowing at that time that all correspondence was censored, actually meant that Mr. Bivolaru was put on the lists of suspects for the Securitate. At one point, around 1971, Mr. Bivolaru was confronted with the first house search, in which the only reason given was mind-boggling. They said that they were searching for weapons that had been stolen from a warehouse, which in reality was a fabrication because Gregorian Bivolaru had never even heard of that warehouse, nor did he know if it really existed. But when they left, the Securitate agents who had carefully searched the house took all the books, all the notebooks, all the correspondence with them and not the alleged weapons, which, in fact, didn't exist.*

*On 17 April 1984, he was arrested and charged with plotting against Ceausescu. The Securitate considered him more dangerous than a common criminal because, as a yoga practitioner, it was believed he had the capacity to act in a subtle and paranormal way that could not be counteracted by ordinary means.*

*In Romania, before 1989, it was well known that the Securitate had established a practice, a common one, we may say, of the relentless, systematic compromising of people who had become undesirable for the communist regime due to various forms of political resistance they manifested. These people were subjected to various set-ups and were then unjustly accused and convicted for common crimes, or in extreme cases, they were even forcibly committed to psychiatric hospitals. They proceeded the same in Mr. Bivolaru's case.*

*This was a way of hiding the regime's true intention regarding those who, in one way or another, defied the communist ideology, those who did not align themselves with the regime's cultural policy.*

*At that time, they had to listen to and obey the communist regime of the time. Thus, people were swallowed up by this system and could no longer have any personality, no longer have any freedom of thought or freedom of movement.*

*In the 1980s, when all the practices of the yoga system were completely banned in Romania, Mr Bivolaru dared to face the communist terror and continued to practice yoga illegally in secret. It is the only country in the world that has ever done such a thing – i.e. banned yoga. Yet even under these terrible conditions, Mr. Bivolaru taught yoga to 170 students. Afterwards, his courage was severely punished, and thus, he was imprisoned several times, and during the aberrant investigations he was subjected to, he was beaten and tortured savagely, sometimes for days on end. Realising that Gregorian Bivolaru would not give up practising yoga, they decided to lock him up in the psychiatric hospital in Poiana Mare – a hospital which is well known as being the place where the political dissidents of the Ceaușescu regime were sent – and here he was diagnosed as "irresponsible in his actions". Those who ended up in that place, even if they were not insane, were still labelled as such and subjected to a destructive regime that effectively terminated them because of the psychotropic drugs they were administered with and knowingly killing most of them."*

Even though, after the 1989 revolution, the ban on the practice of yoga in Romania was lifted and Gregorian Bivolaru was immediately set free, the commission that declared him irresponsible has still not acknowledged to this day, at the time of writing this book, the mistake it made when it declared him insane. The actions against the MISA Yoga School are a continuation of earlier repressive activities against yoga practitioners from before 1989, during the communist dictatorship.

Dan Voinea had the courage to publicly declare that this is a political file: "*In retrospect, the main organiser of the repression and the main perpetrator of the files against the MISA members, the main supervisor of the MISA movement, the main coordinator of police and gendarmes and even the prosecutors, were those who belonged to the Romanian Intelligence Service, in fact, those coming from the former Securitate. These officers continued to do their job, just the same as before 1989, so nobody bothered them, they continued to investigate*

*the same files they had worked on before 1989, against the same people, against the same young people who were considered political opponents at that time.*

*It is a typical file for the communist regime, conceived during the communist regime and then continued after the fall of the regime because, at the time, there was a very politicised institution, the Prosecutor's Office, with people who never dared to refuse the work of the secret police, to analyse it and to think about it as magistrates, I mean. Such files made their way into the courts. You see how difficult it is for the courts to escape such monstrosities. Because such a file cannot be said to be a file that does society any good. There is a political charge in this file. It is the artificial creation of some accusations that are not found in the evidence that has been administered in this case. Which is why three consecutive courts acquitted and gave acquittal resolutions.*" All this highlights the cryptic way the political police acts. It is interesting that the files against Gregorian Bivolaru are based exclusively on statements that don't contain conclusive evidence, which should have been abundantly available because of the continuous surveillance of the yoga movement. If a crime had been committed, surely the Prosecutor's Office would have been able to prove it with the information provided by the SRI.

### *Founding of the MISA Yoga School*

On 1 January 1990, the Movement for Spiritual Integration into Absolute was founded as a non-profit association. In March 1990, Gregorian Bivolaru started teaching yoga classes again. The yoga classes organised by MISA were a huge success in the 1990s. This caused a deep disturbance, and as a result, as early as 1990, a campaign began in the press to denigrate the yoga course and the yoga teacher Gregorian Bivolaru. In the following years, the attacks in the press multiplied and turned into a campaign of stigmatising and demonising the yogic community. The development of MISA Yoga School was permanently boycotted from the shadows by the communist Securitate structures, which remained extremely active despite the regime change, hiding within the new state institutions, especially in the Secret Intelligence Services. After 1990, these structures "bared their fangs" and began a genuine psychological attack by launching certain calumnious rumours about Gregorian

Bivolaru. The directors of all the institutions that rented halls to yogis for yoga courses or lectures were told firmly, sometimes even brutally, not to accept such activities or to terminate the already started contracts. All the people who embraced Gregorian Bivolaru's ideas were closely monitored by the Secret Intelligence Services, respectively, the SRI and Interior Ministry's UM 0962. An informational file was created for each one of them, identical to those of the "enemies of the people" from the communist regime. Even the Romanian Judiciary has officially recognised that Gregorian Bivolaru was politically persecuted by the communist regime and unjustly politically convicted before 1989. This fact was recognised through the irrevocable decision of the Bucharest Court of Appeal, which was made public on 8 February 2012, recognising that the persecution, torture and denigration of the yoga teacher during the communist time had no real basis. He was innocent of all the alleged crimes for which he was tortured and imprisoned. The court's ruling in 2012 found the political nature of Gregorian Bivolaru's pre-revolution convictions in 1977 and 1984 and the political nature of his internment in the Poiana-Mare Psychiatric Hospital in 1989. In view of all these abuses and persecutions, Gregorian Bivolaru asked for a finding that the real reason for his convictions and abusive internment at Poiana Mare was politically motivated, being made on the order of the Securitate, which the court found to be true and granted his request.

With regards to the yoga school that Gregorian Bivolaru founded, false and calumnious and unproven accusations of sexual orgies, mental illness of students, brainwashing, illegal drug use, corruption of minors etc., were repeated endlessly, even though all these are in flagrant contradiction with the moral and ethical code promoted by the yoga movement. The term sect is systematically used, and extremely serious unsubstantiated accusations are made, such as prostitution and paedophilia and the existence of waves of suicides. The rights of yoga practitioners are violated, and various situations arise in which the authorities carry out various abuses of their power. Since 1996, there have already been reports by human rights associations such as APADOR-CH, which document the abuses and calumnies that the yogis are subjected to in the press and show that none of the activities of MISA Yoga School violate the law and don't

motivate the denigrating press campaigns. Nevertheless, the MISA Yoga School was under permanent surveillance by important state institutions (police, prosecutor's office, SRI).

Gregorian Bivolaru received many threatening phone calls and letters over the years. He was the victim of two attacks in 1994 and 1995, and the authorities showed their complicity by failing to investigate them. After more than a decade of informational surveillance of yogis, according to the official reports of the respective institutions, a veritable repression began against Gregorian Bivolaru in March 2004. Although the surveillance was carried out for violations related to national security, Gregorian Bivolaru was subsequently indicted for common law offences. The similarity with the first repression of the yogi is striking. In 1984, Gregorian Bivolaru was investigated for plotting against Ceaușescu and subsequently imprisoned along with other political prisoners, although the official reason for his arrest, much publicised after 1989, was possession of erotic materials. From March 2004 until now, we have witnessed the desperate attempts of the Prosecutor's Office to build cases to incriminate Gregorian Bivolaru. From the threats he has received over the years, it is obvious that the aim of this repression is to shut down the yoga school. On 18 March 2004, dozens of people were subjected to hours of mental and even physical torture in order to extract statements against Gregorian Bivolaru.

As for Gregorian Bivolaru, I could say as a personal conclusion, after all that I have seen with my own eyes and after everything that the people close to me have shared with me about the situations in which he helped them, supported them, offered them hope, affection and care, that he is and remains an admirable man for me, with an impressive culture, who has suffered many injustices and in spite of them he is and remains a man full of kindness, patience and generosity.

There is even a booklet printed in the yoga course with testimonies by yoga aspirants about their relationship with their spiritual guide, which is impressive and presents a totally different image of this man who has been vilified, slandered and mocked in his own country.

## A political dossier

*We won't give you bread, but we give you the circus twice...*
- Dorel Schor

At the end of March 2004, during a TV show to which Gregorian Bivolaru was a guest (the Marius Tucă Show), the yoga teacher publicly declared that the attack against the MISA Yoga School was politically ordered by Adrian Năstase (a Social-Democrat politician who was Romania's Prime Minister between 2000-2004), and aimed, among other reasons, at the creation of a diversion to make it easy for Gabriel Bivolaru to escape. Gabriel Bivolaru was a former PSD (Social Democratic Party) MP, close to Adrian Năstase, who embezzled the Romanian Development Bank (BRD) and defrauded the State of €50 million and who was hiding in March 2004 because he had already been convicted by a court at that time. Just 8 months since the events of March 2004, a huge scandal that shook Romania, the scandal of PSD transcripts, which proved, among other aspects, Adrian Năstase's involvement in the actions against the MISA Yoga School. In 2004, just a week before the elections, 28 documents containing almost 1500 pages of original transcripts from the PSD meetings of the Permanent Delegation appeared on the internet. These transcripts, in which the name of yoga teacher Gregorian Bivolaru and the yoga school often appeared, proved that the whole operation of 18 March 2004 was nothing but a gross diversion aimed at distracting the public attention from the real problems of the country to offer Romanians "bread and circus" just how Adrian Năstase expressed himself in these PSD transcripts. The publication of the secret PSD meeting transcripts from 2003 and 2004 revealed that the governing party controlled the judiciary and mass media, which was merely an instrument of political pressure, capable of fabricating evidence against undesirables, depending on who the PSD leaders decided would be investigated and would not be investigated. Following the publication of these transcripts, Adrian Năstase lost the presidential elections, and his party lost its majority in the government.

Beyond a first and obvious diversion related to Gabriel Bivolaru, the Romanian government at that time, led by former Prime Minister Adrian Năstase, used MISA and the media circus it created to hide

some shocking facts, which, if made public, would have led to the collapse of the government and the loss of all PSD's political capital. More specifically, at the beginning of March 2004, a major scandal was threatening Romania's political elite and especially the government members. Everything started from the unfavourable report on Romania presented to the European Parliament by Emma Nicholson. In 2004, the only explicitly bad report of all the 12 assessments made by the European Parliament of the candidate countries for accession to the European Union was the Nicholson Report on Romania. This report spoke of Romania's well-known problems, such as the subordination of the judiciary to the ruling party of the time (PSD), but shockingly, Romania's number one problem seemed to be the foreign adoption of Romanian children. There was talk of concrete information about the involvement of some people in the government and the then prime minister in certain mafia-type networks dealing with the export or sale of children, information which, if revealed, was said to 'blow up' Romania's political class. There was also talk of Interpol involvement and reports that some aspects would be made public that would quickly lead to the arrest of 100 "high profile" individuals.

Graham Watson, chairman of the Liberal Group in the European Parliament, which includes Baroness Emma Nicholson, was quoted by the newspaper Adevărul on 10 March 2004: "*It is not necessary for Romania and Bulgaria to join the Union at the same time, although it is desirable. If Romania does not get a pass mark, we in Parliament must stand up and say so. While Bulgaria is on the right track, there are many concerns about Romania. These concerns have since been heightened, especially after the discovery of the continued export or sale of children.*" Corroborating all the information and disclosures, many curious journalists reached the conclusion that there was a network exporting children, who were sold to prostitution rings or to networks for human organ trafficking. There is some evidence to suggest that the network of human trafficking, in fact, the trafficking of minors for prostitution and organ trafficking, was sponsored by members of the government (led at the time by Prime Minister Adrian Nastase) or their first-degree relatives. EU commissioner Gunter Verheugen, backing Emma Nicholson's tough stance on Romania,

calls for "*even the big fish to go to jail*". The newspaper Adevărul of 14 March 2004 quotes Emma Nicholson's statement: "*The European Council can no longer continue the old line that all is well in Romania and that the date of 2007 is certain because it is not. Why are children being adopted over the internet, chosen only by a photograph, children already at puberty or 17 and a half years old, who will soon be adults? Where will they go, what will they do abroad, and why were they taken from Romania? When you tie all this together with the corruption in the field, it is a monstrosity. If I had made the evidence public, I would have caused a massive storm. I didn't make the evidence public because I didn't want to crucify the government.*"

The newspaper Ziua of 13 March 2004 published: "*Baroness Emma Nicholson yesterday gave the lowdown on children used for adoption and organ trafficking. The government needs to go after the big fish, the sharks, the big law-breakers, which has never happened before.*"

How did the government choose to solve the problem? On the one hand, it bought the support of some MEPs through various dubious business deals through which they actually harmed the Romanian people. This was externally. Internally, though, the authorities launched the MISA scandal. The press coverage of Operation Christ, as it was blasphemously called, was only apparently chaotic, extremely intense, and virulent. In reality, it was a manipulation on a grand scale, maybe the biggest and most blatant case of mass media manipulation of gullible and stupid Romanians.

In other words, despite the immense importance of Emma Nicholson's report and revelations, they bizarrely disappeared from public attention and the pages of newspapers because the mass media preferred to shift their attention to another sensationalised speculation but unsubstantiated topic: the MISA scandal.

After Emma Nicholson's extremely harsh report, the PSD paid exorbitant bribes so that the European Parliament would not approve the Baroness' report (details can be seen in the PSD's transcripts on Adrian Nastase's relations with the European People's Party). Apart from these gross manipulations of interests, the government had to give the impression that it was doing something to solve the problem. It simulated a government reshuffle and, in addition, the unmasking of a "mafia" network accused of human trafficking. The

big distraction was the MISA scandal at the time, which had been stuck in the authorities' throats for years.

With the help of a large part of the media (and here, the PSD transcripts show the obvious subordination of the media to the PSD's interests), they shamelessly and ostentatiously tried to create the impression that MISA is a mafia-type organisation or network. Accusations of human trafficking, prostitution, child trafficking, and a lot of fuss was made in the press so that they could then hypocritically report to the European Parliament: "You see, we have begun to eliminate the problem". At the end of March 2004, the press started rumours that government members and SRI had mafia-type ties with MISA, that Operation Christ (which in reality was targeting Gregorian Bivolaru and MISA) would "*make heads fall in the Government*". But this was only in the first days. After the "substitution" of the two cases, these references disappeared.

Do you now understand who benefited from the huge media scandal created around MISA after the 18 March raids? Do you understand why there was such a desperate attempt to link it to the problems with minors? Do you understand the crucial role I played in this terrible set-up of which I was a victim? Do you understand why so much has been pedalled on pornography, prostitution, and human trafficking, although in reality, the search warrants on 18 March were issued for cybercrime? Do you understand why so many outlandish accusations were insisted upon in the press, even though it was obvious to any lucid person that there was no evidence whatsoever and the prosecution officially declared it was about copyright offences?

This outrageous diversion, by stopping the investigation into the trafficking of minors for prostitution and the sale of organs, was intended to fool society and public opinion into thinking that they were investigating a mafia network.

Paradoxically, although a part of the press published the PSD transcripts and commented copiously on them, the journalists did not attach importance to the revelations about Operation Christ. There are some very rare exceptions. The journalist Ion Cristoiu wrote several articles exposing the involvement of the involvement of the Secret Intelligence Services and PSD leaders in the action against yoga practitioners. Ion Cristoiu also questioned Adrian

Năstase during a TV programme, Știrea Zilei (Daily News) on Antena 3, on this subject, and Adrian Năstase publicly admitted his interference in these cases.

Ion Cristoiu: *I remind you that you lost the elections because, among other things, the same police, led by your own Minister of the Interior, and the same prosecutors ordered a brutal search of MISA on TV with masked officers. I remind you, or if I'm wrong...*

Adrian Nastase: *No, [you are not mistaken], that's right.*

I.C. *And after that, you were attributed...*

A.N. *As far as MISA and the masked officers are concerned, you are absolutely right. I think it was a big mistake what happened then, and I think it was absolutely stupid, the way it was constructed, but it was something that should not have happened.*

Another journalist, Cristian Levant, on the TV show Naşul (The Godfather) from B1 TV, said: "*Is it a coincidence or not? Bivolaru Gregorian is detained at the border checkpoint on the same day that the PDSR MP Bivolaru Gabriel, is sentenced to 5 years in prison, is put on the most wanted list. This is a smokescreen to cover up the real crime of another Bivolaru, also with a G, but Gabriel, not Gregorian, who was the main man of finance, of bribes, of PDS's bribes, he was a friend of Năstase. They made the PSD's human chain around the Palace of Justice to get him out, even though he was a proven criminal. An entire bank was robbed by this individual who pumped black money dirty money into the accounts and pockets of PSD's Adrian Nastase and other members of this network. By making such a fuss, people forgot about Gabriel, and all eyes were now on Gregorian Bivolaru. The common man is attracted by scandal, sex, and violence, and the authorities did their best. They created a circus but had no substance. They only created a circus, and through this, they aimed at reaching a third effect, a major blow to the image. PSD's image was already very damaged. People in the country were quite unhappy with the PSD. The fact that these operations are presented on all the TV channels and at this time when the political power is in trouble and close to bankruptcy, they brought out another media bomb – this Bivolaru case. So, with this heroic deed, "Look what we have discovered and what we have succeeded in doing, we have exterminated a criminal network with some people who were taking drugs, trafficking drugs, and who had weapons" and there*

*were many more aberrant accusations like this. So, all of a sudden, it gave Năstase the appearance of Saint George, who slayed the dragon. It was a great trump card, so he could easily become President of Romania in that election year. That was his aim. Adrian Năstase had all the political power at the time, including arresting people and even fabricating files."*

Subsequently, Adrian Năstase was sentenced to two years in prison in 2012 for corruption, and in 2014, he was sentenced to four years in prison in the Zambaccian case for blackmail and bribery. He was released on parole after serving one-third of his sentence.

DO YOU KNOW HOW MUCH ADRIAN NASTASE WAS INVOLVED IN TRYING TO DESTROY THE M.I.S.A. YOGA SCHOOL, THROUGH ALL MEANS AVAILABLE TO HIM?

WE ALREADY KNOW!!!

*Images of the Prosecutors Anton Chaborschi (top) and George Bălan (second and third rows) who led the raids on MISA offices and the interrogations of the yogis who were forcefully taken to the Prosecutor's Office. It is a known fact that Adrian Năstase (bottom-right) ordered and directed all these actions from the shadows.*

# V. THE ROLE THAT HAS BEEN PLAYED AGAIN AND AGAIN BY THE MEDIA

*Thinking is difficult, that's why most people judge.* - Carl Gustav Jung

## Hostile, furious media campaigns before 2004

*If you don't read the newspaper, you are uninformed, if you read the newspaper you are misinformed.* - Mark Twain

The Romanian press has never given so much editorial space to topics related to any other personality. No other Romanian citizen of any nationality, profession or social status has ever been written about as much. No politician, artist, famous sportsman or showbiz star has been the subject of so many articles (tens of thousands of articles) in the last 30 years as yoga teacher Gregorian Bivolaru. What is astonishing in Gregorian Bivolaru's case is not only the media coverage but particularly the fact that Gregorian Bivolaru himself is absent from this campaign, there are very few images or interviews with him, and nothing is written about his activity, life, work and personality). Although mass media doesn't seem interested in finding out and telling the public who he is, what his profession is, what courses he teaches and what books Gregorian Bivolaru has published, tens of thousands of articles have been written that bring his name into question and all of them, almost without exception, are accusatory, hateful, calumnious, and full of insults. The number of articles on this subject is still growing, and all of them develop an almost entirely fictitious pseudo-reality, a myth invented by the Ceaușescu Securitate and desperately publicised by the press after 1989 in a furious and doomed attempt to prevent Gregorian Bivolaru from teaching Romanians how to practice yoga.

Despite this campaign of discrediting, defaming and public stigmatisation, despite the ongoing abuses and injustices of the Romanian authorities against him, and despite the relentless attacks of the Romanian press for more than 30 years, yoga teacher Gregorian Bivolaru has continued to teach yoga, has written dozens of books and presented thousands of conferences and lectures about spirituality and his activity continues.

In 1990, a group of yogis who had practiced yoga illegally with Gregorian Bivolaru before 1989 founded MISA. All the members of the new association had been "targets" of the Securitate and had been investigated at various times by the repressive authorities.

The disinformation campaign against the MISA Yoga School started to take shape immediately after 1990 when some hostile references about Gregorian Bivolaru and the newly founded yoga school appeared in the press. The first to take action in the anti-MISA press campaign were some newspapers with roots in the previous Ceaușescu's Securitate: Europa and România Mare (Europe and Great Romania). Gabriel Andreescu analyses in his work "*MISA. The radiography of a repression*" an article in România Mare from 11 June 1993, which seemed to have contributed to defining the stereotypes about Gregorian Bivolaru and MISA. The article "*A Romanian Rasputin: Gregorian Bivolaru*" used all the typical ingredients of manipulation campaigns in the weekly newspaper. It invoked an anonymous writer, who had the "courage" to give only his initials, G.C.M. and presented himself as a first-hand source, even a former student of the yoga teacher, who was addressing the trustworthy person Corneliu Vadim Tudor, towards whom he declared his admiration. What is also specific is the mixing of real data with wild fantasies to construct a make-believe history, with details like: "*How many people know that [Gregorian Bivolaru] was one of the main elements of Transcendental Meditation, something which made him a surveillance target of the previous regime, being at one time a close friend of Messrs Pleşu and O. Paler?*".

Gregorian Bivolaru participated in Transcendental Meditation, while Octavian Paler did not and, in any case, there was never any connection between him and the other two. Both Andrei Pleșu and Octavian Paler were constantly attacked in România Mare, with the allegations aimed at compromising the writers. The allegations had no place in the epistle of a student of the MISA Yoga School. The author, G.C.M., also refers to Bivolaru's internment in a psychiatric hospital, only to immediately introduce a vile and absurd story about a trichomonal epidemic among the female medical staff around him. The style of the letter perfectly follows the style of the "literature" created in the editorial office of România Mare.

The initial campaign against MISA was followed by the rallying of the weekly newspaper Cuvântul (The Word) and the popular "weekly newspaper of heavy morals" Academia Caţavencu. The latter opened an attack against Gregorian Bivolaru and MISA Yoga School, with an inciting character, addressing itself to that community of readers who were not interested in the weekly newspaper of the România Mare Political Party, being attached to the opposition press, for which Academia Caţavencu was the represented standard. The publication's journalists had access to intimate photographs, which could not get into their hands without the assistance of their owners. These were pre-1989 photos, as they themselves note: "*The porn photos were taken in a room rented by Dinu Roman at a hotel in Costinesti and were photographed and developed by him*". The sources had contacts with the Securitate network, if not actually part of it. An extensive series of anti-MISA articles followed, written mostly by Cornel Ivanciuc. Gabriel Andreescu points out that in 2007, the National College for the Study of Securitate Archives (CNSAS) revealed that Cornel Ivanciuc had been an agent of the communist political police. This link explains both Cornel Ivanciuc's use, as a journalist, of information that could only have come from the Securitate or SRI files and the introduction of material that was useful to the services. It may be a symbiosis in which it is difficult to define who is profiting from whom. Gabriel Andreescu says: "*All the previous details support the hypothesis that former Securitate officers were behind the information leaked to the press through the publications România Mare and Academia Cațavencu. Surprisingly, the journalists of the Academia Cațavencu have taken on board the verdict of the repressive institutions of those years, implicitly sympathising with the punitive actions of the former Securitate, including the use of psychiatry for police purposes. If this mentality was to be expected from the publicists of the weekly newspaper set up by Vadim Tudor to serve the former Securitate, it was by no means in line with the political philosophy of the satirical weekly newspaper. Since 1993, even the journalists working in the press considered honourable had given up covering the Gregorian Bivolaru – MISA case in accordance with ethical standards.*"

Here is a statement from an interview with investigative journalist Marius Georgescu, who has made some shows about MISA and even

researched it, talking to hundreds of yoga practitioners in Romania. *"It is enough to lie, to slander repeatedly, even if you are not backed up by evidence. Something will remain from these slanders. There are certain people declared non-grata by the press, most of whom are paid and coerced to write in a certain way at the behest of their bosses, the bosses, in turn, are influenced by the Romanian Intelligence Services (SRI) and so on. It is a vicious circle that makes any information disseminated by the Prosecutors' Offices, by the SRI, to be taken as law, and no journalist makes any effort to see what is hidden behind the accusations. It's really about fear. The vast majority of journalists don't see why they would tie themselves to a cause that is not their own. They don't see the need for a spiritual movement to exist, they are prejudiced, like most of the public. It's very difficult to impose yourself on a 25-year-old current of nefarious thinking. With very few exceptions, there is no more search for truth in the Romanian press. Especially an inconvenient truth. A journalist who starts now to make a real press dossier about MISA and Gregorian Bivolaru will come to the surprising conclusion that 99% of Romanian journalists have lied."*

This whole politically fabricated dossier is full of gross falsehoods, and beyond appearances, appearances that deceive, there is plenty of evidence to prove it. In this dossier, in which the so-called accused was precisely indicated long before the so-called investigation by the prosecutors began, the media is cunningly used as the main weapon.

An obsessive theme of media lies about MISA is that of group orgies. MISA is accused in the press of practicing group sex, with the implication that this is a degrading perversion. First and foremost, traditional yoga is practiced in the MISA classes. There is no mention of group sex here, which every journalist could edify themselves by attending the MISA yoga courses. Moreover, as maximum hypocrisy, there have been many Swingers clubs in Romania for many years where group sex is practiced officially and legally and which have a series of supportive comments in the press, being considered beneficial, progressive initiatives, strengthening the couple's stability. In 2010, a Swingers club was opened in Bucharest on the initiative of Roxana Ioniţă. Both she and her husband were members of the PNL political party. Not a single bad news story has been written in the press so far about this Swingers Club. Returning to how these

accusations have been created, the journalist Tudor Artenie wrote: "*There are several statements by G.B. in which he admits that under his guidance and with his direct participation, the "yogis" played sex orgy*" (*Gregorian Bivolaru - the father of the Romanian "gruppen-sex"*, Baricada, (The Barricade) 26 October 1993).

The author puts in quotation marks on the title page, "*I practiced tantra-yoga in a group*", and explains underneath: "*From a statement given to investigating officers in 1989*". Gabriel Andreescu, who has studied all the Securitate files of the yogis in Gregorian Bivolaru's group before 1989, claims that "*the file of informative surveillance of Gregorian Bivolaru shows that, despite pressure from the Securitate officers, no such statements were obtained. It is also significant that, despite the "hunt" launched by former Securitate agents and the press through the pre-and post-December archives, for sexually suggestive images, obtained by secret means (the more exciting, the better), not a single photo appeared in the press attesting to group sex. If there had been, it would surely have been exploited.*"

In June 1996, during a yoga class held in one of the sports halls of the "Leu" student complex near the Faculty of Electronics in Bucharest, there was a large-scale police raid, assisted by vans of the anti-terrorist squad and dozens of gendarmes, a huge deployment of forces whose so-called purpose was to check the identity cards of those attending the class! No authorisation was presented for carrying out this action. It was not known who had authorised such a deployment of force and, above all, for what real reason. The journalists welcomed this intervention by the anti-terrorist troops - even though it flagrantly violated the rights of those people - with zealous comments such as: "*The police spoiled the party of the yogis patronised by guru Bivolaru*" ("Libertatea", (Liberty) 19 July 1996) or "*The police disturbed the sleep of Grig's people*" ("Ziua", ( The Day)19 July 1996).

During that raid, some of the yoga students were beaten, and others who did not have their IDs with them were taken by the police for identification. Although the yogis complained that the action was abusive and illegal, all their complaints went unanswered. This is how the newspapers presented the episode: "*Bivolaru's followers caught almost naked by the police*" or "*120 serious people were looking for the absolute, naked at midnight, in the sports hall of the*

"*Leul*" (*Lion*) *student complex*". The article insists that "*the initiates were integrating into the absolutely completely naked*", while all the evidence, including those gathered by the intervention troops at the time, confirmed the one thing you would expect: the yogis were doing yoga exercises as they do anywhere in the world, in sports gear. As an amusing aside, the yoga students in one of the yoga classes told how halfway through the first year of yoga, at the end of a theory lesson, when the teacher asked if anyone had any questions about the new lesson, a woman got up and wanted to know when the sex orgies would be since she had actually come to the class for that. She had actually believed what the papers said! But in the yoga class, just yoga is practiced. What a disappointment for that woman!

Another stigmatising label, repeated at the time, was the mental illness of the yoga students. In "Jurnalul Naţional" (The National Journal) on 5 October 1993, the article "*Yogis admitted to Hospital No. 9*" by Dragoș Dănău claims that "*many unfortunate practitioners of the tantra yoga sexual method are admitted to the Hospital for Psychiatric Diseases No. 9*".

Anca David commented in Libertatea (Freedom) on 16 February 1995: "*There are a number of cases in which the aspirations of Bivolaru's disciples for 'spiritual integration into the absolute' end sadly, in a hospital for psychiatric diseases*" ("*Disciple at Hospital No. 9*"). There are also allegations that the illnesses have taken on collective proportions. "*Bivolaru's followers on the verge of madness*" is the title of an article by Sorina Vlaicu in România Liberă (Free Romania) on 20 May 1996. The following year, more precise figures were released: "*The rules imposed on the followers, as well as the practice of aberrant exercises and skills, have led to the appearance of numerous schizophrenic and paranoid syndromes, depersonalisation, psychotic agitation, delirium, hallucinatory states and total dependence on the "guru". The most recent example is the Bucharest Student Hospital, where more than 25 cases of this nature have been recorded recently.*" Journalists have never been able to point to a single expert report that has confirmed their claims.

For years, a stigmatising lead has been drugs. Răzvan Dobre of Telegraf (The Telegraph) almost enthusiastically announced the headline "*Yogi Ivan Octavian Septimiu, the "right-hand man" of guru Gregorian Bivolaru, has died*" (1 September 1994). The 62-year-old

suffered from high blood pressure and angina pectoris. Here is how the journalist explains it: "*The cause of death appears to be a 'banal' myocardial infarction. A person from the entourage of the two great yogis confessed to us that drugs were not uncommon during the asanas sessions. Could it be an overdose?*"

As time went by without identifying evidence regarding drug use, a more sophisticated extension of the subject has been identified: "*A recent forensic expert report reveals the existence of hallucinogenic substances in the "drugs" administered by Bivolaru to his disciples. These are not classical drugs, but plant extracts with a strong action on the nervous system*" (Valentin Zaschievici, "*Illuminated or charlatan, guru Bivolaru built an empire of lust*", Libertatea (The Liberty), 16 May 1997). Or:

In the early 1990s, another label placed on the image of MISA followers and its spiritual leader was that of having spread venereal diseases. In România Mare, in an article on 18 March 1994, a so-called letter "from a female reader" said: "*I believe that if a check were made on all the yoga practitioners in Bucharest, followers of Bivolaru Gregorian, it would be discovered that venereal diseases are flourishing. And one wonders where AIDS comes from when things are as they are*". These kinds of statements and situations led MISA at one point to ask those who came to the organisation's camps to have medical tests. When the announcement came out, it was picked up by the press as evidence of preparations for orgies.

The stigmatisation of MISA also resorted to the systematic use of the label of sect. Headlines such as: "*Gregorian Bivolaru is shepherding the "Sect of sexual debauchery*" (D. Matei, C.B. Stamatov, Ziua, 24 February 1995); "*Bivolaru's sect has been kicked out of the "Faur" Club*" (Flavius Popa, C.B. Stamatov, Ziua, 27 February 1995).

"*Bivolaru's sect is going down the drain*" (Flavius Popa, C.B. Stamatov, Ziua, 28 April 1995); "*Bivolaru's sect has been evicted from the University*" (Matei Flavius Stamatov, Ziua, 4 May 1995). If we trace the names of the journalists who signed the articles listed above, we find that "Matei Flavius Stamatov" is a combination of other names used previously: D. Matei, Flavius Popa and C.B. Stamatov. Other headlines underlining the word "sect": "*The functioning of Bivolaru's sect is not authorised by the Ministry of Health*" (Flavius Popa, Cosmin Barbu Stamatov, Ziua, 9 May 1995); "*The insane attitude*

*of Gregorian Bivolaru's sect*" (Sorin Voinea, Oglinda, 19 September 1995). On several occasions, MISA has been associated with the Aum group, the perpetrator of the bomb attack on the Tokyo subway - see "*Asahara [leader of Aum] for us is Bivolaru two*" (Ziua, 7 October 1995). The newspaper România liberă of 27 August 1996 asks in the classic style of an indirect slander: "*A Bivolaru-Aum 'marriage'?*". Speculations on the subject reached such an aberrant level that the publication Meridian (of 13 November 1996) went so far as to claim that former followers of Bivolaru had become satanists, discovered to have performed sacrifices in the Bellu Cemetery "*a number of small animals whose blood was drunk with vodka*".

Sometimes, the label of "sect" has been more elaborately constructed. România Liberă published on 13 July 1996 the article "*Human groups coagulated around errors, lies and monstrosities*", signed by Aida Dănăilă who claimed that: "*among the existing organisations in Romania, which are on the dangerousness grid of [... ] of the European Parliament's Anti-Sect Committee, the following eight are included: the Movement for Spiritual Integration in the Absolute; the Yoga and Parapsychology Society; Sahaja-Yoga; Ananda Marga; Hare Krishna; New Acropolis; Jehovah's Witnesses; the Church of Scientology*". In 1996, APADOR-CH addressed the Commission of the European Union Delegation in Bucharest in order to find out whether there is an Anti-Sect Committee of the European Parliament and, if such a Committee exists, which entities are listed - among the eight organisations indicated by România libera - in its dangerousness grid. David Blackman, from the European Parliament's Directorate General and Research, replied: "*There is no such European Parliament Anti-Sect Committee and never has been. The area of sects and cults is dealt with by the Parliament's subcommittee on human rights. We believe that the journalist in question did not have a clear understanding of the terms she used in the article*".

Step by step, Gregorian Bivolaru and MISA are associated with paedophilia. "*Because of the guru's fame as a corrupter of minors, people are afraid to speak up.*" Is a subtitle from Ziua, on 7 February 1995. The text insists: "*Although heavily damaged, most neighbours are afraid. Many have children...*". On 17 February 1995, Dumitru Matei and Cosmin Barbu Stamatov claim to have received the following

testimony: "*I remember that during a camp at the seaside I met a young girl in the seventh grade, who boasted that she slept with her teacher, something which she wanted very much.*" Three journalists, Cristiana Terenche, Mariana Petcu and Flavius Popa, assume the following headline in România libera on 6 December 1996: "*Bivolaru rapes his underage female disciples.*"

Paedophilia means sexual relations with a child. However, the label of "paedophilia" came to dominate Gregorian Bivolaru's image in the public opinion because of the language used intentionally by the journalists. The authorities were also involved in spreading the idea that Gregorian Bivolaru was a paedophile. Anyone searching the internet for the combination "Bivolaru - paedophilia" could find over 4000 such mentions in 2021.

Also, the reference to drinking urine was obsessively repeated. Urinotherapy is, in fact, an ancient, widespread therapy - for example, in India. It is now practiced in medical centres and is the subject of speciality conferences. The publicists eliminate the therapeutic dimension in order to maintain the element that generally triggers disgust: drinking urine. "*Grig Bivolaru demands that his sect members should drink their urine in order to progress spiritually. (II)*" (Ziua, on 30 August 1995). About the yogis who practiced yoga exercises in the student complex "Leul" where the police came, Libertatea mentioned in the subheading: "*They came from all over the country to share a glass of urine.*" (19 June 1996 issue).

Here is what Gabriel Andreescu writes in his book: *"By far, the one who pays the heaviest price in this demonisation campaign is the leader of MISA. Anything that could bring him down in people's eyes, anything that ridiculed him, anything that could create revulsion was written about him. "An obscure, semi-literate individual, a common law prisoner" is the opinion of people who had no way of verifying either his literacy or what was hidden in the files fabricated by the Securitate. "He was not very bright, he could make his grades, and he was not very clever..." his former classmates would say, according to journalists. In the only characterisation recorded in Securitate archives of the pupil Bivolaru - the qualifications are on the contrary: "very studious, intellectually gifted."*

In 1997, Ioan Iancu and Elena Tomulescu considered him no more, no less than the moral author of a triple assassination (an obscure

drama from Ozana Street) and asked whether Gregorian Bivolaru would be investigated for those events. Other allegations are added to the madness of those claims: "*The People's House and the Hunger Circuses are, in fact, the creations of his concentration. He claims that everything was born out of his desire and magnanimity. The People's House is none other than the Dalai Lama's last and most powerful temple. His disciples believe that every column, every window and every metre of concrete was actually paranormally commissioned by this Grig.*" (*Bivolaru boasts about raising the People's House through mental concentration*, Ziua, 1 March 1995).

Such claims are not found in any of Gregorian Bivolaru's statements. In the eyes of the journalists, nothing nonhuman seemed foreign to the spiritual leader of MISA. He was also allegedly involved in economic crimes. There was talk of tax evasion, of soliciting money and gold from followers. Gregorian Bivolaru was suspected of "*being involved in illegal business with cigarettes.*" claims Mihai Belu in Cotidianul (The Daily) on 12 October 2001. Still, the allegations of economic crime are rarer due to the difficulties of insisting on this issue because Gregorian Bivolaru had a modest apartment, did not have a car, was wearing simple clothes and lived an austere life.

When an explosion occurred in Gregorian Bivolaru's apartment in 1995, the press rejoiced, making reference to this event. "*To the delight of the neighbourhood's children, the explosion of the yogi's Grig Bivolaru house filled the Ferentari neighbourhood with porn photos*", ran the headline in the newspaper "Ziua" on 7 February 1995. In an article with little information and a lot of speculation, the publication used a subtitle significance for its own expectations: "*Dozens of readers phoned the editorial office expressing their regret that the "master" was absent from home*" (Dumitru Matei, Ziua, on 15 February 1995).

Gabriel Andreescu, in his book "MISA. *The radiography of a repression*", concludes: "*The campaigns of the journalists of the 1990s – as well as after 2000 – were no more aggressive, more falsifying, more outrageous and unjust than the campaigns of the communist journalists who in the 1940s paved the way for the imprisonment of tens of thousands of innocent people. In the* MISA – *Gregorian Bivolaru case, to speak only about calumnies is still too little. The systematic association of* MISA *yogis with a stereotypical image is a strategy for*

*stigmatisation and demonisation of a community. In this model, the media has made a considerable effort to establish stereotypes capable of destroying the honour of MISA yogis".*

In the mid-1990s, journalists openly expressed their intention to put MISA followers, especially Gregorian Bivolaru, behind bars at any cost. One after the other, the journalists publicly demanded criminal punishment for those they accused of all sorts of wrongdoings, if not absurd, at least morally wrong. Drug use, paedophilia, and violence against strangers of the movement could not be proved. Ultimately, an attempt was made to build a case around a notice sent to MISA by the Ministry of Health.

The accused was the psychiatrist Alexandru Mircea Rădulescu, who allegedly authorised Gregorian Bivolaru *"as a yoga teacher, authenticating that he can hold both theoretical and practical yoga courses".* The Ministry of Health would have a responsibility since *"as any ministry in charge of the MISA association (registered under no. 34/24 January 1990, at the Sector 1 Court), it had an obligation to intervene and demand its dissolution".*

Gabriel Andreescu points out in his analysis: "*Journalists betrayed professional ethics when they decided on the facts, on the screens or on paper, and gave criminal conclusions right from the headline: Grig Bivolaru guru's clique should be behind bars*" (*România liberă, Friday, 7 February 1997*). *A ministry cannot oppose the creation of an association, as this would violate the fundamental right of association. An association can only be disbanded by a court ruling after it has been proved that the organisation is involved in a violation of the rule of law. Any restrictions imposed on associations must be explicitly laid down by law, have a legitimate purpose and be necessary in a democratic society. For journalists, these general principles on the protection of human rights - including their own - seemed not to matter. They simply deplored the renunciation of the violent treatment of those they hunted. In an ironic, slightly disappointed tone, they claimed that the June 1996 raid on the "Leul" complex was "not a heavy-handed raid with batons and dogs, but a quiet and gentle one, the police being very much afraid of violating someone's civil rights..." The journalists established crimes and even wanted the introduction of new laws that would be repressive in nature. In other words, the journalists were calling on MPs to introduce repressive legislation capable of*

*stopping the activity of "sects", i.e. religious groups that do not have the approval of the Romanian Orthodox Church (BOR). This would have been nothing more than a further assurance that the press had what was necessary to put yogis behind bars. "The United Press has presented inflammatory evidence about the illegalities of the MISA sect. Journalists provided evidence against Gregorian Bivolaru," claim Răzvan Savaliuc and Cosmin Barbu Stamatov in Ziua on 22 February 1997. The evidence offered on this occasion is... their own statements concerning the proliferation of manifestations contrary to morality, generating public scandals, the practice of group sex and homosexuality, the imposition of aberrant methods of sexual contact, incitement to incest, the application of so-called unconventional treatments, incitement to abandon one's home, aggression against people, aggression against the Christian-Orthodox religion".*

The Romanian press had undergone a unique transformation process in the logic of democracy: from a watchdog of democracy, it had become a hound of repression.

# ROMANIANS, REFUSE

## THE FURIOUS AND INSIDIOUS

# INTOXICATION

## THAT THE MASS-MEDIA HAS EXERTED AGAINST THE M.I.S.A. SPIRITUAL YOGA SCHOOL FOR OVER 20 YEARS

## The scandal that broke in 2004

> "A *lie is like a snowball: the further you roll it, the bigger it becomes.*" - Martin Luther

The scandal that erupted after the brutal search on 18 March 2004 made headlines and dominated the news for several months. Gabriel Andreescu's analysis shows that "*the vast majority of press material placed on the shoulders of MISA followers things that had nothing to do with them, nor could they have. They were accused of carrying weapons, although there was never the slightest evidence. They have been treated as dangerous people who are best to hide your identity from, even though they practice non-violence. They have been portrayed as troublemakers, even though they are the ones who have been the subject of physical reprisals. They have been accused of using drugs despite the fact that they also refuse the common drugs that a large part of the population uses (little aware of their nature): coffee, alcohol, and cigarettes. Yoga practitioners have been described as carriers of venereal disease, although their attention to sexual health is unusual by the standards of the society in which they live. They have been portrayed as profligates, even though cultivating help among yoga practitioners - and not just among themselves - is part of community life. The transformation of black into white and white into black has, in the case of MISA, reached Orwellian proportions.*

*The presentation of data that is not only unverified but, according to one's own view, false is not even the most dramatic aspect of what has happened in the press interested in MISA during these 20 years. What mattered was the way it was done: in the form of a witch hunt that had a certain capacity to incite, to provoke the violent instincts of the reader or viewer.*"

The success of mobilising the press consumers in the process of harassment was strengthened by the passion with which the journalists sought, successfully in this regard also at generating repulsion towards the MISA course participants. The scathing wording addressed to MISA yoga practitioners was used not only in the niche press - Academia Caţavencu, România Mare - but also by the newspapers and television. Even on TVR1, in the show "*Lumea*

*în care trăim*" ("The world we live in") on 4 April 2004, at 13:00, the presenter spoke about MISA using these words:

"*Life beats the movie, reality beats any imagination: money, sex, sins of youth, spectacular revelations, mystery and twists and turns... Activities of pornographic productions are mixed with the drinking of... sorry, urine, of practices at least strange to us non-initiates.*"

More serious was the direct, concrete call to violence against MISA followers. Several journalists turned into inciters. At times, the reporters publicly called on the authorities to punish MISA followers: "*We are all waiting for a judicial, legal but radical decision. And this decision must take into account: do we tolerate such manifestations, such characters, such dubious organisations on Romanian territory or not.*" (Realitatea TV, "Jurnal", (the Journal) March 29, 2004, 21:00) The words of the guest of Emanuel Isopescu, one of the journalists who showed extraordinary aggressiveness, an active slanderer of MISA, made on prime-time TV, was clear: such people should not be tolerated! The public authorities in Romania have consistently shown a willingness to make Gregorian Bivolaru the target of moral censure and physical harassment. There were occasions, at a time when Gregorian Bivolaru was not charged, when television stations announced that groups of citizens had seized him and taken him to the police. Some journalists openly incited the murder of the MISA leader. "*Of course, any Romanian watching TV would break his neck*," Emanuel Isopescu said on the "Jurnal TV" show on 1 April 2004. At other times, the incitement was aimed at detaining and mistreating the yoga practitioners. The newspaper Ziua took a unique step in the history of the Romanian press, which is only possible in an anarchic society: it announced a reward of 50 million old lei (more than €1,000, the equivalent of more than 10 average salaries in 2003) on the head of Gregorian Bivolaru!

Gabriel Andreescu analyses this situation: "*Anyone who has followed the Western press can notice that even in extreme cases, for example, terrorists, such lexicon is never used. Journalists and lawmen judge what has happened, sometimes use harsh language, and express indignation or surprise that there are people with such criminal obsessions. But you don't see them taking pleasure in demeaning, in annihilating the person who is guilty. The use of hatred for establishing an indictment and the desire to humiliate*

*that is freely manifested in the Romanian public space is one of the most terrible scourges the communist regime has bequeathed to post-December society.*"

The Association for the Defense of Human Rights in Romania - Helsinki Committee (APADOR-CH) has extensively monitored and analysed in detail the situation of MISA and its members in its 2004 annual report under the title "*The campaign against MISA and the violation of the rights of its members and supporters*". The conclusion of this report is as follows: '*Medialisation and social panic in the case of MISA, due to the media, which is overwhelmingly poisoned by the very authorities that are supposed to be dispensing justice, has reached unimaginable heights. For example, from March 2004 to October 2005, only taking into account the national television channels such as TVR1, Realitatea TV, Pro TV, Antena 1, 2, 3, National TV, Prima TV, B1 TV, N24 and OTV, 570 news reports hostile to MISA and Gregorian Bivolaru were broadcast.*"

The report says that the authorities used the media even during the first days after the 18 March raids, when they used those forceful actions to convince the public that those who were the victims of the raids were guilty of crimes. The information received by the journalists from the Romanian State authorities contained a series of very serious accusations, which were then obstinately disseminated through the media: drug use, human trafficking, possession and trafficking of weapons, etc. Video material from the police and prosecutor's office was given to the media and broadcast on television in total violation of the presumption of innocence.

In MISA's case, the diverse media functioned as an almost unitary system. The claim that it is interested in ratings, and therefore in the spectacular, can only be partially supported. The motivation for the press's involvement in the MISA case was somewhat confirmed by the total silence when Gabriel Andreescu's book "*Repressing the Yoga Movement in the 1980s*" appeared. This book provided essential information on people about whom journalists had previously written thousands of articles. If MISA were a subject of public interest, then the appearance of information of such importance would have been a reason to bring it up immediately in discussion. If the journalists' hunt for every little detail about MISA followers was simply betting on readers' curiosity, it was also to be expected that journalists

would promptly serve them with articles. Yet, with one exception, not a single article about the book full of relevant data appeared in the newspapers obsessed with Gregorian Bivolaru and his followers. Few things can better x-ray the nature of the journalistic operation in the MISA case than the complete silence on the book's appearance about the repression of the main yoga followers in the 1980s.

Of the thousands of press interventions, an insignificant number followed the principles of honest journalism. Even fewer journalists have claimed to be defenders of democracy. The merit of those who have done so is all the greater, but it cannot save the honour of the community. There are only a few journalists who were fooled and corrected their wrong claims; even fewer have distanced themselves from what has been written in newspapers and magazines or appeared on television channels. The number who took up the case with genuine journalistic curiosity remains tiny. One exception was the Reflector TV show, which in 2006 broadcasted several episodes of a documentary on MISA by Denisa Anghel and Marius Georgescu. In the Reflector show, TVR broadcasted interviews with the victims of the raids conducted by journalist Marius Georgescu. After this programme, TVR was accused by the National Audiovisual Council (CNA) of misrepresentation, as the report allegedly omitted to present the accused's point of view (sic). However, the brutality of the investigators was visible in the images broadcast on all TV stations on 18 March 2004. Then, in 2011, the MISA case was the subject of two episodes of the documentary “Cel ce gândește altfel” (The One Who Thinks Differently), directed by Cornel Mihalache, on TVR 1. The fact was not left without consequences for TVR: CNA sanctioned the TV station with ridiculous arguments.

## An insolent and obsessive disinformation campaign

> "*It's easier to fool people than to convince them that they have been fooled.*" - Mark Twain

By definition (a definition which, unfortunately, in Romania has no connection with reality), the goal of journalism is to correctly inform society about events of importance to citizens.

Ideally, this activity should be governed solely by the public interest and would require as a basic professional standard the reporting of the truth, and only the truth, in an impartial and fair manner. In today's public space, the press is more of a tool of manipulation. Regularly, the incomparable power of the press is even used as a weapon against leaders who are troublesome, against people who have the courage to speak certain truths, to militate against the mainstream, or against groups considered undesirable for various reasons. The mass media provides a terrible psychological and informational weapon to those who own and control it. In recent decades, we have witnessed a psychological and sociological paradox: although more and more cases are coming to light in which the press has abused its power and has not written the truth but has been used as a tool of misinformation, most people still tend to have total confidence in what they read in the printed media or see on television.

Anyone who wants to get information from the mass media about my case in particular, and about MISA and Gregorian Bivolaru in general, in order to form their own opinion can be easily confused. Despite the abundance of news, TV shows and articles on this subject, it is extremely difficult to discern the real facts. The MISA case can be used as a textbook example of how disinformation is practiced.

Vladimir Volkoff, in his now famous book, "*Short History of disinformation*", defines disinformation in the following way: "*a manipulation of public opinion, for political purposes, using information handled by devious means*". Disinformation is the provision giving general misinformation to a third party, causing them to commit collective acts or to disseminate judgements desired by the disinformation agents. Disinformation addresses public opinion. In mass media, misinformation of the public through media

intoxication means to disseminate a very large number of articles, broadcasts, news, and information on a given subject. It is not necessary for all of these to be consistent in content. It is important to generate confusion, possibly including an emotional reaction of some kind (for example, hatred, fear or rejection). Ultimately, disinformation aims to confuse and anaesthetise public opinion on a particular issue. To make people effectively fed up with the subject in question. They should no longer be interested in understanding it, in taking a stand, in thinking or acting. The disinformation campaign of public opinion has then succeeded, although the legitimate question is, how, given that the news in question is journalistically poor, insufficiently documented, and, worst of all, not true? Very simple! First of all, almost all material broadcast is convergent: all express a negative opinion about MISA and Gregorian Bivolaru, and all introduce scandalous ideas or make reference to immoral and reprehensible acts. It's like gossip but on a million times larger scale. Reality doesn't matter as long as the lies told incite people to spread them and comment on them, etc. Secondly, disinformation also seeks to anaesthetise public opinion on a certain subject. In other words, to put the public into a state of bewilderment, confusion, saturation, and inertia, in which they are no longer interested in what's actually going on. Under the cover of the confusion created, the authorities have enough room for manoeuvre for abusive actions.

The media campaign to misinform public opinion in the MISA-Bivolaru case aims to hide some simple facts. Here are briefly the most important ones among them:

Gregorian Bivolaru has been followed for years under the pretext of "endangering national security". He was wrongfully arrested in 2004 without any search warrant or arrest warrant, and only afterwards was he charged in a fabricated case of a "sexual act with a minor", even though I, his so-called victim, denied and have been denying for years this accusation concocted by the prosecutors. Despite this fact, Gregorian Bivolaru was sentenced in 2013 by the High Court of Cassation and Justice to 6 years in prison for the crime of a sexual act with a minor in continuous form, whose unwilling injured party is me, Mădălina Dumitru. Gregorian Bivolaru was acquitted of all other charges in the case. During my testimony in the trial, I repeatedly declared on numerous occasions that these

so-called facts, for which Gregorian Bivolaru's case was fabricated, never happened and that, in reality, they were all invented by the prosecutors who handled the case.

The Romanian State spent enormous amounts of money, more than €5 million, on the investigation in which Gregorian Bivolaru was accused of a "sexual act with a minor", while I, the so-called victim, denied all these fabricated facts, and I have no complaint against Gregorian Bivolaru, only against the authorities who committed unspeakable abuses against me.

The Romanian State is guilty of numerous abuses against me and other yoga practitioners. These include illegal surveillance and tracking, searches without a warrant, seizure of goods (more precisely theft) during illegal searches, attempts to fabricate court files, dissemination of false information through the media, fuelling (by inciting the authorities) a hateful media campaign aimed at marginalising me and the yoga practitioners in society. Of the many accusations disseminated by the media about Gregorian Bivolaru, the vast majority never made it to court, and not because the prosecutors did not try. For the charges brought to court, the courts ruled: the facts do not exist! The press continues to publish accusations about Gregorian Bivolaru as if they are proven offences, when he has already been acquitted.

The Romanian State wrongly asked the European authorities to follow Gregorian Bivolaru through Europol for offences such as child trafficking and child pornography. This would have been legally possible only if Gregorian Bivolaru had been convicted of these offences. The Romanian Police committed a gross forgery, which they covered up, trumpeting that Gregorian Bivolaru was a dangerous criminal guilty of numerous "sex crimes" (a term which is not defined from a legal point of view).

The large number of articles and information published on this subject covers a wide range of themes and makes various accusations against Gregorian Bivolaru, bringing up all sorts of illegal, immoral and scandalous deeds. The variety of published information, including the fact that some are contradictory, is another important clue. The press is not interested in what Gregorian Bivolaru is guilty of, only that he is guilty. Another clear clue that this is a campaign to misinform public opinion is the maintaining of the campaign, even

if there are no new facts. They speak about events that happened sometime in the dim past. The real news happens now. From the point of view of the press, last week is already ancient history. Why do they bring up all sorts of trivial things that have been talked about a thousand times before? Another essential clue is the absence of the accused's point of view. This shows that the journalists are not actually interested in documenting the facts and uncovering the truth.

The authorities have used the strategy of labelling in their disinformation campaign: they have claimed that a peaceful spiritual school is a terrorist paramilitary organisation, dealing in drug trafficking, human trafficking, arms trafficking, prostitution, etc. All these accusations are obviously absurd and delusional, and time has amply demonstrated this. Absolutely all these accusations have been struck down as totally null and void, with absolutely nothing ever being discovered, either during raids, or in the subsequent trials against the yogis.

It can be easily seen that in the MISA-Gregorian Bivolaru case, the same lies were repeated obstinately until saturation because repeated lies tend to be perceived as truth in the end. In the media campaign to smear the MISA Yoga School, the journalists do not shy away from publishing lies, sometimes grotesque, other times simply ridiculous, and other times small and useless. Of all these lies, some of them stand out for their inventiveness, being quite spectacularly implausible. It is astonishing that people who probably went to university and should have a certain level of intelligence to be professional journalists can write or tell such absurd nonsense, such outright lies, without being ashamed of themselves or embarrassed by the nonsense they can write. A clip from a Romanian humour group ridiculed the titles of articles in Romanian newspapers in general, showing how they are chosen: a bowl is filled with a series of sensational words, then a monkey draws them out one by one!

Often, some journalists who write such lies, accusing the MISA Yoga School of all sorts of things, without the slightest proof for what they say, resort to a " justification of the claim"; they pretend they have been eyewitnesses to some "events" which they either invented themselves or copied from other lying journalists. In the articles about MISA, the lies are so many, so overblown, so illogical,

that even pleading stupidity or ignorance could not justify them.

Here is just one example: in the autumn of 2010, the press spread with perverse delight and insistence a completely crazy story that the yoga instructor Diana Dochinoiu had been beheaded by the Japanese mafia (Yakuza). Not even the publication on the Yogaesoteric website of a video interview with the person in question (who hadn't been beheaded at all) didn't deter the journalists who wrote the story - they didn't even give the "beheaded" person the right to reply but continued to harass her family with idiotic questions, such as if they received the coffin with the headless body... etc.

The impertinence of the lies spread by the press and the authorities in the anti-MISA campaign is unbelievable. In 2004, for example, the authorities asked the press to broadcast on all media channels the news that Gregorian Bivolaru was under general surveillance and had been detained at the border, even though there was no warrant in his name, and he was not even under investigation for anything. Again, we repeat, what is incomprehensible is the lack of moral reaction to this delusion of lies. Periodically, the press campaigns against Gregorian Bivolaru and the MISA Yoga School reached a point where the house of lies built by the press was in danger of collapsing. More precisely, so many lies had already been made that it became quite obvious to the public that things were not how they were said.

For example, readers (or even some journalists) may raise the obvious question: how is it possible that these people who practice yoga are so guilty of all kinds of heinous deeds (as the press tried to convince us), and yet officially, they have not been convicted for these terrible deeds that are written about in the press? The correct answer to this question is that the accusations spread by the press about MISA and Gregorian Bivolaru have no real basis. The press lies but will never admit they lied or did anything wrong. One possible answer offered by some journalists in order to cover up those lies is that MISA has infiltrated people into the Justice System in all sorts of important positions - this is what we might call "the octopus theory".

Other journalists use a different tactic to cover up the mass media lies in the MISA-Bivolaru case when they start to become obvious to the public. When some public voices - or even some journalists - bring up the fact that there is no evidence for the accusations

desperately disseminated in a particular media campaign, an evasion tactic can be adopted. Instead of providing the promised evidence for the accusations they spoke about, new accusations are brought up. Even if the first accusations have not been cleared up, they move on nonchalantly to new accusations, which are trumpeted just as vehemently, promising evidence, witnesses, and damning proof - which, in fact, will never appear.

This is, in fact, the whole story of how the MISA-Bivolaru case is presented in the Romanian press. Accusations are being made of some very serious facts without any evidence being presented. They talk about evidence, they promise evidence (sometimes even the headlines of the articles mention "overwhelming evidence" that is not in the actual text of the articles), but they do not publish this evidence. Then, they move on to other accusations, again without presenting evidence. References are periodically made to previous (unfounded, unsubstantiated and unproven) accusations as if they were already proven beyond doubt.

In this way, immediately after the 1989 Revolution, in the course of just a few years (1992-1997), the entire mythology of this case was built up, which covers an astonishing and implausible spectrum of accusations, most of them contradictory. In 2004, after the brutal searches of 18 March, they did the same: accusations of illegal drug trafficking and human trafficking were made (with the promise of overwhelming evidence in the coming days). Then, they moved on to new accusations, such as cybercrime and then copyright infringement. For more than three decades, the yogis have been presented to the Romanian public opinion as being guilty of something because some very serious accusations are about to be investigated, and surely they will be found guilty. We are not given any explanation as to why the previous investigations didn't prove anything, but we are assured that the next ones will find the yogis guilty.

The strange part is that, as obvious as this method of manipulating public opinion is, it seems as if it worked to great effect! The vast majority of Romanians, as shown in a 2016 survey made by the Anti-Defamation League of Yoga and Spiritual Movements (LAYMS), are truly convinced that the yogis are guilty of all sorts of terrible deeds. This is the public perception that Romanians have about yogis and especially about Gregorian Bivolaru as a result of the media

campaign of disinformation sustained for over 25 years, especially by the Secret Intelligence Services.

Another manipulation technique used in the media campaign against the MISA Yoga School is negative transference. Negative transference is based on our tendency to make assumptions through association. Denigrating assumptions are a propaganda technique that is widely used in disinformation. Since each one of us has the tendency to look for associations in order to form impressions about something or someone, the technique of transference speculates this cognitive mechanism and imbues us with the desired impression through certain associations. Even insinuations work marvellously in this direction - it is not necessary for the disinformation agent to explain very clearly or prove the associations they claim.

Negative transference is all the more obvious when there is no topic or negative idea that can be said strictly in the context of MISA. Moreover, in articles on other subjects, the MISA Yoga School is brought up, even though it has into connection (e.g. a cannabis dealer is falsely claimed to be a MISA leader; the same is aberrantly said about a psychopath who killed his family or a young woman who committed suicide). This is a common practice, whereby over time, the idea that "*MISA is something evil*" has become entrenched. This is because, in many articles on sensitive subjects, the assumption that MISA was somehow involved was raised. Over the years, journalists have unjustifiably (and shamelessly) associated MISA with everything negative they could think of, from illegal businesses to diseases such as AIDS or suicide, to maximise the transference of public antipathy.

Here are just a few examples of negative and false associations. An article published by the Ziua newspaper in 2007 absolutely aberrantly associates MISA with the KGB! The article is titled "*The pirate church*" and has the following caption: "*A gang of crooks, with MISA and KGB roots, ministers, baptises, buries and ordains women in the "Orthodox" rite, Ioan Preoteasa - a former Orthodox priest who was destitute from the priesthood for alcoholism, rebellion, philandering and attempted suicide - has set up, with the help of the KGB, the Church of Traditional Orthodox Christians of the Vlachs Everywhere.*".

Of course, the KGB is not the only negative association in this quote. A scandalous topic is used to the maximum to sling mud

at MISA, although nowhere else is MISA mentioned in the article. The association with satanism is not unique to the anti-MISA campaign, although the MISA Yoga School has often taken a public stance against satanism and satanic sects. Here is a short excerpt from an article published in Meridian magazine in 1996: "*Yesterday evening, in the Catholic Bellu Cemetery, a satanist procession took place, in commemoration of the Black Mary, the feast of all luciferian sects. Many of the current satanists are former followers of the yogi Bivolaru*". The association of MISA with the Nazis cited below is unusual (though not unique) and is notable for the "easiness" of the transference technique. "*Gregorian Bivolaru disappeared from Sweden, most likely to Chile, a favourite destination of the Nazis in World War II*". The quote comes from a news broadcast by Antena 1 in 2006. If we read the news further, we are struck by its nonsense. It's a non-story, in fact, because we are told that Gregorian Bivolaru did not answer the phone when the journalists called him in Sweden. How they deduced that he was in Chile and why he was there is not explained, but we have already been manipulated by the association of Gregorian Bivolaru (a political refugee in Sweden) with the Nazis.

The MISA Yoga School was also denigrated through the obsessive discussion on the subject of urine therapy; here are some arguments brought by a "scientist" invited as an expert by Jurnalul Național (The National Journal) in 1996 to give a professional opinion on urine therapy: "*When we swallow urine it is like kissing the devil's hand. In the bloody investigations of the Securitate, such dirty things were done*". Urine therapy is opposed by a doctor, not with medical arguments, but with the transference method of propaganda, by associating it with the bad impression generated by the Securitate or the devil. Very scientific!

An anecdotal episode worth mentioning for its humour is the following: In 2008, a cannabis dealer and grower was arrested, and the press wrote that he was one of the leaders of MISA. Nothing out of the ordinary. The novelty of this situation was that the MISA press office was immediately contacted by the cannabis grower's wife, who seemed very frightened by the prospect of her husband being a MISA member. The cannabis and arrest part seemed easier to bear for the poor woman...

Other specific practices of the disinformation actions are inverting the facts and negating the facts. The mass media said about me that I was Gregorian Bivolaru's victim, that I was harassed by MISA, when in fact I was, and I am only a victim of the abuses by the authorities, who acted only in their abject interest and didn't protect me at all, as they boast. An example of negation of facts which is quite shocking is the statement of the Superior Council of Magistracy alleges the footage from the morning of 18 March 2004, which was given by the prosecutors to the mass media, was staged by the yogis from MISA school. This is absurd because the whole action was broadcast on the TV news, doubled by clear information on the screen, which proved the source of the video material as coming from the Ministry of the Interior. The footage was also shown in the newsroom at the time by officials from the Romanian authorities.

Another specific practice of disinformation is to change the motive. Initially, the search of 2004 was for computer data from the computers in the searched locations. They perversely extended the accusations by dropping press bombshells on all TV channels that contained false accusations such as arms trafficking, drug trafficking, and prostitution. The authorities claimed they were doing this to protect the Romanian people against illegality and allegedly to protect a minor, namely me.

The press is like a double-edged sword. The authorities used the press to legitimise their legislative abuses. They provoked a state of fear and anger in the people through disinformation. The press was not impartial or objective but obedient in the hands of those who used it to achieve their despicable goals, i.e. the dissolution of the MISA Yoga School.

The operation against MIA Yoga School was based on the principle that is well known in manipulation strategies by the name "*Strike the shepherd and the flock will scatter*". Although this principle was kept secret for a long time because it is an extraordinarily efficient lever of action against any group of human beings, nowadays we can find some information on this topic in various "speciality" works, which provides the basic preparation in the training schools for the formation of Secret Intelligence Services officers. The teaching of this principle is always accompanied by various implementation strategies with as clear as possible examples from all times in the

history of different countries. In the book *The 48 Laws of Power* written *by* Robert Greene and Joost Elffers, this principle is presented as follows: *"Often, all our problems are traced back to one powerful man – the one who "muddies the waters" – the deals, arrangements, propaganda, etc., which we carry out to achieve our goals in secret (shielded from the public eye, which we have been careful to direct – or rather distract – towards completely different objectives from those we are pursuing). If such people are free to act, their charisma will soon gain them followers. We should never wait for the phenomena they cause in the masses to escalate, nor should we try to negotiate with them, because most often, such people are incorruptible and impossible to buy off or intimidate with threats or even direct attacks. Rather, we should seek to neutralise their influence by isolating or publicly compromising them (e.g., through mass media). Always, the principle to be followed in such situations is: "Take the shepherd out of the fight, and the flock will easily be put to flight".*

*Take this lesson to heart: Don't waste your time by randomly hitting what seems to you to be a multi-headed dragon (a bunch of people who are driven by the same ideals). Find the one head that really matters: that leader (of that group) who is fully endowed with strength of character or intelligence or, more importantly, charisma. In order to annihilate a group that is uncomfortable or dangerous to you, you must, at all costs, remove its leader because if he is absent, his influence over the group's members will gradually disappear. For example, you can isolate him physically (either by exiling him or – if he is also an "actor" on the political scene – by sending him on a mission somewhere far away), or you can isolate him psychologically (by separating him from the group he leads and inspires, spreading as much slander and innuendo as possible). Remember: a cancerous tumour starts with a single cell – so remove the cell before the disease spreads and becomes inoperable.*

*Any political or social group that bothers you can be compared to a flock of sheep put to fattening. Therefore, don't waste your precious time trying to steal (attract to you and make them adhere to your ideas) one or two sheep: don't risk your life and bodily integrity in confrontation with the sheepdogs. Target the shepherd! Bait him or force him away, and the dogs will follow. Strike him, and his flock will*

*scatter; you will then be able to get as many sheep as you want, easily taking them one by one.*"

From an occult point of view, attacking the leaders and removing them from power causes the point of equilibrium, or the axis around which that group gravitates, to disappear, and this leads to the immediate appearance of a state of generalised confusion in the entire group. This state of confusion is the key element, which is then exploited by the attackers and allows them to manipulate the group through effective techniques and ultimately weaken and destroy it. The way this principle is applied differs each time depending on the context and the purpose. Thus, there are situations where the Secret Intelligence Services do not "decapitate" a human community that opposes their interests but seeks to isolate the leader from the rest of the group. As we know from studies by Dr. Milton H. Erickson: "*the isolation (whether symbolic or otherwise) of the person in authority from the rest of the group always leads to the gradual loss of his power of influence over the group*".

The Chinese dictator Mao Tse-Tung has gone down in history as one of the most skilled in manipulating the political class and getting rid of all those who opposed him. Whenever he wanted to get rid of an opponent from the Communist elite, Mao Tse-Tung never attacked him directly but discreetly and tenaciously strived to isolate him, divide his allies and drive them away from him. By doing so, the Chinese dictator Mao Tse-Tung succeeded in slowly and surely diminishing the political support of his opponent, and shortly afterwards, the person in question “disappeared” from the political scene! Machiavelli wrote about this in the following: “*If you wrong a man, do it in such a way that you will no longer be afraid of his revenge.*”

The strategy of applying the principle of "attacking the leader" also implies that the undesirable person, who has already been "isolated" from the group he was leading until then, is then deprived of any means of reacting to the dirty attacks targeting him (e.g., discrediting and slandering him). In Gregorian Bivolaru’s case, he was never given, as is normal, the right to reply to all the slanderous attacks against him.

Another component of the strategy involves the confiscation of the material base that enables the group to carry out its activities.

In this respect, it is particularly significant that the huge abuses that have been directed against the MISA Yoga School, as well as against its spiritual mentor, Gregorian Bivolaru, have been sought from the outset through unimaginable abuses and violations of the law by the prosecutors who investigated or continue to investigate the so-called "MISA case", to confiscate, seize or even destroy the entire material base of this yoga school - including the personal assets of many of the movement's members and supporters.

If we analyse attentively the whole web of calumnies, lies and abuses that have sought and are still seeking to destroy the MISA Yoga School, we can easily realise that all these attacks have always been carried out with fierce tenacity and ferociousness, almost exclusively against its founder and spiritual mentor, Gregorian Bivolaru. We can also see what was, and still is, the hidden strategy of those who want to destroy the MISA Yoga School out of a stubborn and very tenacious malice: attacking its “shepherd,” or in other words, of the one who supports it and guides it spiritually. Even if, for the time being, the Spiritual Guide, who is, we may say, the school’s “heart”, is physically isolated from most of his disciples as a result of the huge efforts made by the enemies of this yoga school, he still continues to be accessible to all his disciples through countless spiritual impulses, lectures, initiations, or presentations about yoga that he constantly sends to the school, thus ensuring (even in these very difficult conditions), a perfect continuity of the initiatory process that a genuine spiritual path implies. Even if some of the “architects” of the ensemble of legal abuses and media lies were convinced that the MISA Yoga School would not be able to resist even for a week after the 18 March 2004 outbreak of this violent campaign, time has proved that their diabolic plans were completely impotent in this case.

## The personal attack

*The further a society drifts from the truth, the more it will hate those who speak it.* - Selwyn Duke

The anti-MISA crusade is not just the work of the Romanian authorities. It is not only the SRI, the Prosecutor's Office or the Ministry of the Interior that has put it into action. The anti-MISA media campaign is the instrument through which the unjust repression of the yoga movement in Romania has been extended to the public scale. Few are those who have managed to see beyond this wall (not curtain) of smoke built by the press following the instigation of the authorities who have provided them with half-truths and questionable statements. In the escalation of this grotesque fantasy, an image has been built that is completely parallel to what the yogic movement in Romania really is. Although the common man does not know what MISA actually is, he reflexively places it in the sphere of the scandalous, the ridiculous, and the anti-social.

Few public figures have had the curiosity to investigate the MISA topic "at source". Even fewer have made public statements on the topic.

What is astonishing, as a general overview, is the unanimity of the Romanian press when it comes to the MISA case. This is one of the rare situations in which everyone seems to agree. Communication specialists urge us to view suspiciously the cases uniformly reported in the press because they conceal certain deliberate manipulations. Should we be surprised, against this background, by the vehemence with which those very few courageous people who dared to speak out in defence of MISA have been attacked in the press over the years? Saying something favourable about MISA has become tantamount to sacrificing one's own image. Everyone is an "expert" on the MISA case. Everyone has well-defined opinions about Gregorian Bivolaru. But none of these people has participated in the yoga school's activities, has never come into contact with the yogis, has never spoken with Gregorian Bivolaru, and has not read any of the books written by him. In fact, in the background of the ferocious anti-MISA campaign, we realise that the yogis are missing. They, their opinion, their version of the events can't be found anywhere in the press. This

is reason enough to convince us that the press image of MISA is not at all according to reality.

Over the years, a number of Romanian public figures have spoken, even if only in passing, about the Movement for Spiritual Integration into the Absolute (MISA). Reports and analyses have been presented. Articles have been written. Some of those who did not take a critical stance toward MISA were later "penalised" by the mass media and labelled as "supporters" or "friends" of the yogis. If they also attended the MISA events to elucidate themselves and later said they saw nothing scandalous there, they were even more harshly called "followers," "tantric sex experts," etc. Hence, the oppressive silence of civil society and public figures on this subject. When asked up front, many politicians avoid the subject. Some cultural figures write in passing about the human rights violations in this case. But symptomatically, they annoyingly point out that they have nothing to do with MISA, they do not practice yoga, and they do not agree with the ideas promoted by Gregorian Bivolaru. Just to save their own image. The anti-MISA media campaign, in order to ensure its continuity, has resorted to a fearsome weapon: destroying the image of those who have defended the rights of yogis. Personalities who did not "align" with the anti-MISA campaign faced the heavy artillery of personal attacks. Denigrating those who have, over the years, taken a stand in support of MISA, even if it was in defence of basic human rights, is a terrible weapon used in the anti-MISA campaign.

Here are some examples: the Association for the Defence of Human Rights in Romania - Helsinki Committee (APADOR-CH) has repeatedly complained about the abuses of the authorities in MISA and Gregorian Bivolaru cases. Between 1994-1999, this association was led by Renate Weber and between 2002-2004 by Monica Macovei. After the elections at the end of 2004, when Traian Băsescu became the president of Romania, Alianţa DA (YES Alliance) formed the majority of the governmental coalition, Renate Weber was named presidential advisor on legal matters, and Monica Macovei became Minister of Justice. The two were promptly attacked in the press regarding the APADOR-CH reports.

On 20 January 2005, the national daily newspaper Gardianul (The Guardian) launched a particularly virulent attack against Monica

Macovei and Renata Weber, publishing simultaneously two articles on this topic: "*The legal advisor at the Cotroceni Palace, a supporter of yogis' rights in 1996 and 1997*" (unsigned article) and "*Monica Macovei and Renate Weber block the Guru Bivolaru file*" by Lidia Popeangă and Al. Racoviceanu. A headline says: "*The jurists who led* APADOR-CH, *the organisation that criticised the MISA investigations, are now dictating in Justice*". The Gardianul newspaper continued its virulent offensive against the Minister of Justice and the new presidential advisor, publishing in the following days under the heading "*Question of the Day*" questions such as: "*Do you think Monica Macovei and Renate Weber will block the investigations against MISA? Do you think "Guru" Bivolaru would have been caught if the Romanian State had offered a reward?*". The newspaper Tricolorul (The Tricolor) (on 28 September 2005), later copied by România Mare (Great Romania) (on 7 October 2005), writes under the heading "*A question a day*": "*Is it true that Monica Macovei does yoga and is a member of MISA? Answer: Yes, the Minister of Justice is definitely a yogi. As for her (discreet) membership in Gregorian Bivolaru's sect, some people say so, not us. After all, if Judge Simona Lungu is a member, why shouldn't Monica Macovei be one too, because she's got a mind of her own, with all the booze and sex in her head... (Blue-eyed boys)*"

In October 2005, Sweden rejected the extradition request formulated by the Romanian State for the extradition of Gregorian Bivolaru to Romania. In December 2005, he was granted refugee status by Sweden. Among the reasons mentioned in the decision of Sweden's Supreme Court in Stockholm is also the instigation from the authorities, with the mass media's help, of the public slander targeting Gregorian Bivolaru. Instead of asking themselves common sense questions or slightly changing their approach, a part of the press is lashing out in a frenzy at... Monica Macovei, who just " dared" to request a rigorous verification of the way in which Gregorian Bivolaru's rights have been respected during the investigations made by the Romanian prosecutors.

This is an article published on 5 January 2006 in Averea (The Fortune): "*INCREDIBLE! "Guru's" extradition request has failed because the Ministry of Justice has not submitted the prosecution's evidence. Bivolaru, favoured by the Ministry of Justice*" (article by A. Anghelescu and R. Savaliuc). This clever ruse places the responsibility

for the refusal of extradition on Monica Macovei's shoulders and diverts attention from the investigation that should be taking place to uncover the abuses of the Romanian authorities, on the basis of which Gregorian Bivolaru justified his request for political asylum. Other "analysts," however, attack much harder. Valentin Stan's article "*In a bad position because of Guru*," published by Jurnalul Naţional (The National Journal) on 13 January 2005, is a typical example of how a confrontation of ideas can turn into a personal attack. Here is what the columnist writes: "*...Monica Macovei, the Minister of Justice, seems more like a Hollywood starlet descended into the mythical world of political vaudeville in the province of Dâmbovița. Perfectly cast in a vocal role, in which she has to pose a lot and talk even more, Mrs Macovei assimilates the lines and then delivers them frowning, hands on hips, squawking with aplomb at the Superior Council of Magistrates, at prosecutors and judges, at all those who do not fit her own messianic script, descended upon her like a divine grace. Like a Lady Chiriță of the Băsescu era....*" it continues in the same mocking tone, demonstrating by a lame logic at the end that "*Macovei has no idea about international and national legislation on extradition, copiously confusing the European Convention on Extradition with the Romanian law 302 of 2004 on international judicial cooperation in criminal matters*".

Another member of APADOR-CH who has repeatedly taken a public stance on the abuses against MISA is Gabriel Andreescu. He has courageously denounced the flagrant violation of the most elementary human rights in the case of the investigation and media campaign against MISA. He is also the author of numerous editorials published in the Ziua newspaper, editorials that stand out for the balance and lucidity with which he approaches this subject. Gabriel Andreescu was present in numerous MISA activities, including the protest meetings after 18 March 2004, and having known Gregorian Bivolaru personally since communist times, he could have been a credible reference point for journalists discussing the MISA-Gregorian Bivolaru case. However, as he said in an interview for Yoga Magazine, he was very rarely contacted to give information to the journalists about this topic.

At the beginning of April 2004, the Gardianul newspaper published the article "*Would you let your daughter be "deeply penetrated" by*

*Bivolaru*?" by Gabriel Stănescu, honourable professor of journalistic ethics at the Faculty of Journalism, author of the code of ethics of the Romanian Press Club. The title of this article generates a strong repulsion in the reader from the beginning, which will later be the filter through which they will receive the content of the article. The use of explicit, subcultural language, even if put in quotation marks, is likely to increase the reader's repulsion towards MISA, its "practices", and all those who support it, with the clear target: Gabriel Andreescu. Here is an excerpt from this article: "*As far as the "fine intellectuals" are concerned. NGO employees by profession, for whom everything seems to stink, I can say that this time they are not so wrong. [...]. Gabriel Andreescu, as well as those who think like him, should still answer one question: would they agree, in the name of freedom of thought and expression, to put their daughters in Gregorian Bivolaru's hands, who would "penetrate them profoundly" and "pee in their little mouths", participate in group sex orgies and agree with the detention regime in the ashrams, where they would be brainwashed in such a way, that they would disown their family? Being a fine intellectual, in order to avoid the essence of the answer, Mr. Andreescu might say that I am using tired stereotypes and that, just as he has the conviction that the ethnic Hungarians have the right to organise themselves autonomously in the Romanian National State, despite the provisions of the European Convention on Minorities, which offers individual rights and not collective ones, probably also, in this case, he will find a sophism.*"

Did Gabriel Stănescu miss the lesson on the presumption of innocence that he himself teaches? In the mountain of junk materials generated by the anti-MISA campaign, the above article is a strong contender for the title "most miserable".

At the end of March 2004, Andrei Gheorghe, a well-known radio and television producer, invited several members of the Movement for Spiritual Integration into the Absolute (MISA) to his Antena1 TV show. The discussions on the show obviously focused on the accusations made by the authorities and the media in the MISA case.

On the first day of April 2004, the daily newspaper Adevărul published an article full of disparaging remarks about Andrei Gheorghe, his guests and, of course, Gregorian Bivolaru. Reading the article by Magda Mihăilescu, "*Cronica TV - Bivolaru's people*

*have been admonished*", one can clearly distinguish the mocking tone in which the text is written. Andrei Gheorghe is labelled as "*the moderator who once didn't hesitate to take off his trousers in front of the public*", the followers of the Movement for Spiritual Integration into the Absolute as "*the followers of the vagabond guru, the "buffaloes", the lunatics of the MISA camp, the submissives*," Gregorian Bivolaru is labelled as "*the emperor promising happiness*". *Expressions such as "the wig snatched from Gregorian Bivolaru's head, the images of naked bodies huddled, the naked vermin*" are used. The publication of his article has the obvious goal of generating repulsion in the reader and mocking Andrei Gheorghe, Gregorian Bivolaru and the MISA representatives present on the TV show. This article has the effect of annulling the supposed reparation of MISA's image after the broadcast of Andrei Gheorghe's show.

Another personality, this time a Danish politician member of the European Parliament, Ulla Sandbaek, was "punished" by part of the Romanian press with the label of "Bivolaru's fan". Ulla Sandbaek has held the high office of European Parliament representative. She is a pastor at the Northern Congregation in Copenhagen. In May 2004, Prima TV picked up an interview Ulla Sandbaek gave to a Danish TV station. The Romanian press reported on this event because Ulla Sandbaek's interview did not have the same "anti-MISA" tone as most Romanian press. She declared that she was horrified by the defamation of MISA and Gregorian Bivolaru and contacted the Romanian ambassador in Brussels, asking for clarifications and proof of the accusations against MISA and Gregorian Bivolaru. If the accusations could be proven, the Danish MEP intended to refer the matter to the European Parliament.

Ulla Sandbaeck's stance was harshly criticised by the Romanian press. The daily newspaper Ziarul, for example, published an article by Simona Filip under the headline "*Member of European Parliament, Bivolaru's fan*" in its 17 May 2004 edition with the headline: "*Sandbaek is a good connoisseur of tantric sex, having attended Gregorian Bivolaru's courses in the past*," although Ulla Sandbaeck was never actually a yoga student. The author goes on to refer in a familiar way to Mrs Sandbaek as "*the woman*".

The fact that an MEP supports Gregorian Bivolaru and highlights the irregularities in his case gives the case prestige and raises

questions. This fact doesn't happen anymore if the MEP is vilified. About a year this article, on 16 April 2005, the Gardianul newspaper published the article titled; "*Bivolaru advised to request asylum in Sweden by the priest-MEP Ulla Sandbaek*" signed by Sorin Simion. The article has a shocking subheading: "*MEP, protector of homosexuals*". Here is what the article says: "*...interesting to know about Ulla Sandbaek is that besides being a former member of the European Union Parliament, she is also a well-known activist in Denmark for defending the rights of sexual minorities. Ulla Sandbaek is also a priest of a Christian cult in Denmark and a fervent militant in favour of officially recognising same-sex marriages.*"

In reality, in her role as MEP, Ulla Sandbaeck voted for a certain law on inheritance in gay couples. And that was all. Relying on the instinctive rejection of the Romanian public opinion on the sensitive subject of homosexuality, the press started calling her a "*fervent supporter of homosexuals*," and Gregorian Bivolaru was allegedly accused of "*sodomising three minors*". (instead of the accusation of sexual relations with a minor).

Another article from Gardianul on 11 June 2005 is headlined "*MEP who supports Bivolaru participated in MISA spirals at Costinesti camp*". Instead of appreciating the objectivity of this person, who, in order to elucidate herself on the activities of MISA, visited Romania and participated for seven days in the yoga camp in Costinesti, the journalists label her as a sectarian and a follower of MISA.

## A collateral victim

*Lies, cunning, and slander can be more terrible than bullets from a revolver.* - Brice Parain

You realise that if the journalists attack a minister and an MEP in such a miserable way, no one will think twice when it comes to tarnishing my name. I can sadly say that I was a collateral victim in the process aimed at destroying the yoga school. Caught unwillingly in this dirty game, my life was destroyed before it began. Since March 18, 2004, I have been subjected to public disgrace, I have been irredeemably humiliated and deeply mocked by the media, which has told a mountain of lies about me. I still remember the moment when, a few days after the brutal search, I heard the first news about me on television. I was at my beloved Remus's house watching in shock as General Prosecutor George Bălan declared that this action by the authorities was aimed at fighting drug trafficking and prostitution, and then there were some pictures of me!

From what they said on the news about me, the viewers got the idea that my friend Mirona and I, at the time when the masked officers raided the house where we lived, had been caught red-handed, allegedly doing prostitution on the Internet. This is a shamed-faced lie repeated endlessly and obstinately in the media, a blatant untruth. Firstly, the prosecutors found no computer cameras or internet networks in the building. Mirona had just a very worn and old laptop at that time, which could only be used for writing text and watching movies. We didn't have WiFi either, and that old laptop didn't have any internet connection. In fact, the minutes of the search themselves prove this, as they do not contain any seizure of such equipment and nowhere does it mention the presence of any internet connection. Secondly, they barged in on us while we were asleep, so at best, it can be said that we were caught in the act while asleep.

The most vaunted argument was that I was still a minor at the time of the search and had no value for the way in which the prosecutors and press treated me. Although the law prohibits the filming and distribution of images in which minors appear, the prosecutors did not hesitate in making the material filmed during the raid on 18 March 2004 available to the mass media. This is completely illegal,

unethical, and unprofessional. In a terrible collusion, the authorities and the media invaded my life with unspeakable violence, and then, with every disparaging, false news item, they humiliated me, slandered me, and irreparably destroyed my social life. On all the TV stations, images recorded by the prosecutors during the search, in which I appeared extremely scantily dressed, personal photographs, private writings, manuscripts and notes from objects belonging to me, and private audio-video images that were abusively confiscated from me when I was arrested (i.e. stolen), information about my private, family and school life (school situation, school report, etc.) were broadcast without my consent.

I was presented as the main news story in all broadcasts and also on the front page of the newspapers for months on end; I was humiliated, judged, and subjected to public mocking, even though I didn't have any connection with the "story" in which I was dragged into unwillingly by the State authorities! The images of me were presented in all Romanian mass media, clearly, without putting a filter over my face or my body, as legally required by the law on the protection of minors. All these obsessively broadcast images were accompanied by acidic and slanderous comments by journalists, who portrayed me as a criminal, as an easy woman, and sometimes even as a prostitute. On all national TV stations and in all the newspapers, I was presented as Gregorian Bivolaru's "mistress," the minor whom Bivolaru is said to have "*trafficked and sexually exploited*". Which is a blatant lie!

Although all these years I have been shouting at the top of my voice that what is being trumpeted all over the media about me is not true, I have been living in a country of the deaf and the blind. Almost no one, with extremely few exceptions, wanted to listen to me or pass on my story. I feel that there is nothing I can do to repair my image that has been trampled all over. I have lived with this shameful stain for years. All the rightful steps I have taken have been in vain. Many times, I had the impression that I was fighting windmills.

My life has never resumed its natural course. In the 11th grade, I was expelled from high school because of the absences I suffered as a result of being detained at my sister's place. But I had good and very good grades in most subjects, so there was a possibility for me to repeat the year so I could finish high school. But my face and my name

had already appeared in hundreds of news stories and broadcasts, where I was unfairly presented as Romania's number one prostitute. How could I present myself like that in front of schoolmates and teachers? Friends, I think you can imagine, were out of the question after my image had been dragged through the mud excreted by the dirty mouths of the dozens of trumpet-headed hydra of news television lies. This still does not suffice to illustrate how much damage has been done to me by journalists devoid of any shred of ethics or morality, who have not given a moment's thought to the life they are mocking.

Another serious abuse is the repeated provision of misinformation to the press and the dissemination of false news through news agencies, which the authorities have repeatedly done in relation to the MISA Yoga School and by association in my case. Initially, the massive leak of information from the Prosecutor's Office to the press involved footage from the 18 March raids, combined with a dizzying number of so-called charges. The press quoted official sources in the Public Ministry when talking about drug and arms trafficking, prostitution, a child trafficking network, etc. None of these turned out to be real allegations, as all the search warrants were issued for cybercrime. Yet why did the prosecutor's office launch this disinformation, this inadmissible act in a democratic country, this gross abuse that was committed in full view of the world, in violation of democratic laws and human rights?

The issue of disclosure of information to the press has been raised many times in the MISA case since 18 March 2004. The press presented in detail Operation Christ, as it was called by the authorities, as: "*the biggest operation against organised crime by Romanian police*". Accusations such as human trafficking, drug trafficking, organised crime, etc." were circulated, as well as materials filmed during the raids by the investigative bodies and official statements that promised the presentation of evidence in support of the accusations and the information about the investigation follow-up have been broadcast. The footage from the raids and the accusations are obsessively repeated in the media for days.

The evidence does not appear. Instead, there is a gradual slide from the first allegations to the media coverage of scandalous subjects such as urine therapy and group sex. For example, Sorin Ovidiu Bălan, who witnessed the 18 March raids and frantically

declared on air that "*Operation Christ is the biggest action against drug trafficking, human trafficking and prostitution*", changed his tune a few weeks later and pathetically recounted that he had seen with his own eyes, stuck on the wall in the bathroom of the raided building, a note suggesting to "*drink pee*".

The whole thing eventually fizzled out into an instigating plea that MISA is a sect, and the SRI steps in to add the connotation of "*danger to national security*". The thousands of press articles reporting on Operation Christ have, in unison, omitted to present the point of view of the victims. Hardly any journalist questioned that after all those searches and all the fuss, there was no evidence presented and no explanation given. Journalists didn't want to admit that Operation Christ was a fiasco, a futile investigation, a set-up, a terrible injustice, even if here and there they observed this.

In addition to this, evidence from the files was unjustifiably and improperly released to the public. The culmination of these privacy breaches was the disclosure and publication of my personal diary. It was the authorities who had the obligation to defend the rights of the minor - presumably having triggered this whole investigation and criminal prosecution precisely to defend those rights - who contributed to the most profound and humiliating public discrediting of me.

I was forced to face the consequences of the lies endlessly published in the press about me on a daily basis every time I came into contact with people. One of the unpleasant episodes I sadly remember is a visit to my mother a few years ago. I travelled by train from Bucharest to Costinesti. I hadn't seen my mother for a long time and was happy to see her again. I hadn't even set foot on the platform when a local woman, who I later realised was carrying a bucket of slops to feed some pigs, saw me. She screamed:

– Hah! She ran towards me, cursing and threw the entire contents of that bucket on me. After that nauseous slime dripped onto the clean suit I had specially put on for that trip, amid tears of pain and anguish, a disgusting smell made me vomit. But beyond the awful sensation of the foul-smelling garbage that covered me in those moments, the woman continued to hurl insults at me:

– Whores have no place here in Costinesti, she was yelling. Go to your yogis and have sex there, not here in our village. Cause I have seen on TV what you do. Despicable people!

I almost crawled to my parents' house. The gate was unlocked. I opened it sobbing, I shouted from the gate:

– Mother! Mother! Look what those mean people did to me...

My mother got very angry and upset. She sent me immediately to take a bath, gave me clean clothes and then something to eat. At the table I told her what had happened in detail.

After listening to me carefully, she then talked about the nightmare she was going through with her neighbours on the street. Every time they saw her at the gate or when she went to the shop, they would approach her and say:

- Did you see what else was on TV about your daughter? Look what she's doing there, with who she's hanging out with.

Then my mother would reply that she knew what I really do from me. But they didn't believe her and continued:

- But you know that they don't lie to us on TV, because if it were not true, they would not say all those things...

All those people believed that what they were showing on TV was true. My mother told me then:

- I slowly got to the point where I didn't talk to any of my neighbours.

Another sad moment was in the spring of 2014 when Remus was involved in a terrible car accident on a highway in Germany. Remus died in that tragic accident. Although there is a Romanian saying that "A*bout dead*, *only good things should be said*," the press felt that this saying did not apply to yogis, treating the news of his death very badly. Just one day after his death, I received a newspaper with an extremely nasty and mocking article about Remus. I suffered terribly because of that article, which was written with such malice, bitterness, and hatred and without the slightest trace of a sense of humanity. I will not mention anything more...

Because of the scandals that periodically appeared in the press about me, it became almost impossible for me to find a job. In the spring of 2015, I was forced to give up a job at a natural products company, Vivanatura, because of a show broadcast by B1 TV station, in which the presenter Mihai Jurcă and his guest Bogdan Cotigă, editor-in-chief of the Ring newspaper, were debating the subject of prostitution. The producer of that show chose to illustrate their dialogue with images of me, taken from the abusive searches in

2004. After that programme, the director of Vivanatura, where I wanted to work, explained to me that he could not hire a person who is compromised in front of people because he felt that it would create tension in his team. So, I couldn't get the job anymore. I fell into a deep depression and often had thoughts of suicide, the idea that I didn't want to live any more, that I couldn't stand it any longer.

The journalists who played with my life in this way never gave a second thought to what they were forcing me to go through. What's more, they used various images of me to endlessly fuel and invent over and over again and again, absolutely denigrating scenarios. In this way, the media poisoned the public opinion about me. I have had to endure and have suffered a great deal from the harmful media campaign that has lasted for several years, which has had a huge negative impact on my life ever since. Even though so many years have passed since these immense abuses were unleashed, I still suffer from the slander and excessive media coverage of the false story I was unwillingly dragged into by the authorities. I was mocked on all media channels despite my age at the time of the 2004 raids, and I was not protected in any way by the authorities in the face of this symbolic rape. My life became a nightmare. The press had information about intimate photos of me and my beloved Remus from the prosecutors and even doctored some photos, extracting images of me from the photos with Remus and adding them to the image of Gregorian Bivolaru. They made public my school report with my grades in all school subjects. All sorts of notes and private notes were photographed, which I then saw on TV and in the newspapers. They went and interviewed my relatives, and what my relatives said was arranged, taken out of context, and even rigged so that it sounded humiliating to me. I was unjustly humiliated and mocked in front of an entire country because none of what the media proclaimed was true. All this media abuse was obviously only possible with the "help" of the prosecutors and other state bodies who participated in this assault on me because only they were in possession of that information and images. This attack on me was repeated every time when Gregorian Bivolaru's trials were taking place. I can state that either through irresponsible action, taken without respect for the truth and professional ethics, or through silence, the journalists are co-partners in the harm done to me.

# Mădălina trebuia să fie martor protejat

EDUARD PASCU
ION ALEXANDRU

Goana justiției după Gregorian Bivolaru s-a declanșat la plângerile mai multor oameni care spuneau că fiii și fiicele lor, după ce au intrat în grupul yoghinilor din MISA, au apucat-o pe căi greșite.

La fel s-a întâmplat și în cazul Mădălinei Dumitru. În baza sesizării mamei sale, procurorii au emis mai multe mandate de percheziție, iar fata a fost găsită. Surse judiciare susțin că fata a fost imediat audiată și i s-a luat o declarație (*n.r.* – în baza căreia a fost arestat Gregorian Bivolaru) și apoi a fost lăsată să plece. Procurorii nu au încercat să o

## Procurorii n-au cerut protecția

Putea Mădălina Dumitru să fie inclusă în programul de protecție a martorilor?

La această întrebare ne-a răspuns chestorul Mihai Gheorghe, directorul Oficiului Național pentru Protecția Martorilor (ONPM). „Cazul minorei respective nu poate face obiectul instituției noastre, deoarece noi ne ocupăm de cazuri deosebit de grave. Violul sau întreținerea de relații sexuale cu minori sunt fapte ce intră în competența organelor de cercetare penală. Însă, în mod cert, procurorii care instrumentează acest dosar nu au făcut nici o solicitare către ONPM", a precizat chestorul Mihai Gheorghe.

versiuni sexuale cu un minor" nu este treaba oficiului. Însă procurorii și judecătorii ar fi trebuit să ia în calcul presiunea psihică la care fost supusă Mădălina. Tânăra poate deține informații cruciale pentru anchetatori cu privire la activitățile desfășurate în cadrul MISA. Și, cum scrie în lege, Mădălina este un exemplu tipic de martor ce trebuie protejat.

## Legea este clară

Potrivit Legii 682/2002 (Protecția Martorilor), „are calitatea de martor persoana care prin declarațiile sale furnizează informații și date cu caracter determinant în aflarea adevărului cu privire la infracțiuni grave sau care contribuie la prevenirea producerii

cauzate prin săvârșirea unor astfel de infracțiuni. (...) Starea de pericol este situația în care se află martorul, membrii familiei sale ori persoanele apropiate acestuia, a căror viață, integritate corporală sau libertate sunt amenințate, ca urmare a informațiilor și datelor furnizate ori pe care a fost de acord să le furnizeze organelor judiciare prin declarațiile sale". Legea prevede și o altă portiță prin care Mădălinei i-ar fi putut fi acordată protecție. În articolul 12, alineatul 2, litera c se prevede „protecția declarației martorului, în sensul ascultării sale de către organele judiciare sub o altă identitate decât cea reală sau prin modalități speciale de distorsionare a imaginii și vocii". Ei bine, deși procurorii aveau

*Clippings from the newspapers from that time with articles about the abuses of the authorities in the events of 2004 and after, in which MISA, Gregorian Bivolaru and I were involved*

*Another newspaper article about the case of MISA, Gregorian Bivolaru and Madalina Dumitru*

*News about the games of the authorities behind-the-scenes, in which Gregorian Bivolaru was involved in order to exonerate Gabriel Bivolaru*

**THE PRESS THAT PUBLISHES ONLY LIES ABOUT THE SPIRITUAL YOGA SCHOOL M.I.S.A. INTENDS ONLY TO CONSTANTLY INTOXICATE AND POISON YOUR CONSCIOUSNESS.**

# VI. OTHER SIMILAR CASES OF REPRESSION

*The vast majority of people in Kali Yuga will be ruled by their baser instincts. They will usually choose false ideals. Some will not hesitate to fiercely persecute the wise and spiritually evolved. Most of the new rulers will fiercely and cruelly persecute the priests and holders of genuine godly knowledge. - Linga Purana*

## The case of Paramahamsa Yogananda

*When a hundred men call a wise man a fool, then even if he is wise, he becomes considered a fool.* - Adaptation of an Albanian proverb

Even the famous yogi Paramahansa Yogananda, who brought the *Kriya Yoga* teachings to America, was not spared the war with the press of the time and the authorities. He arrived in America in 1920, having been invited to represent India at the International Congress of Religions in Boston. He quickly made a name for himself, even being invited to the White House by President Calvin Coolidge, who had become interested in his work. Among the aspirants who followed him were great personalities in fields as diverse as science, the arts and business.

He travelled extensively to give numerous lectures to thousands of people and opened yoga classes that were and still are attended by tens of thousands of Americans. On one of his trips to America, he gave a lecture at ~~Harward~~ Harvard on Mahatma Gandhi and his nonviolent movement. Because of his support for the movement that would gain India's independence, Yogananda was considered a danger to the national security of the United States and placed on the government's list of those under constant surveillance by the Secret Service. The next step was the start of a genuine war against yoga in the American press, simultaneously with the emergence of wild rumours of a sex cult corrupting American women.

His nonconformism drew the outrage of prejudiced Americans. Arriving in Miami at one point, he was accused of having a harem of young women in the room next to the one he was living in! More than 200 jealous husbands wanted to catch the Indian who had twisted the minds of their women. The police chief said Yogananda wanted to hypnotise him and that's why he expelled him! He was no longer invited to receive the keys of various cities; he was no longer asked to speak at all kinds of religious congregations.

*"I'm going through the most difficult period of my life. Judge for yourselves the lying ability of the newspapers,"* - he wrote in his diary. Even though the Los Angeles judge eventually ruled in his favour, the damage had been done. *"The fruits of a lifetime of service to humanity shattered by the soulless efforts of slum journalism."*

Despite these facts, Yogananda has remained, to this day, one of the best-known and most respected yogis. The Self-Realization Fellowship, founded by him as early as 1920 with the goal of sharing the science of ancient India and the philosophy of yoga with the world, still exists today with its centre in Los Angeles and has meditation centres all over the world.

## Osho's case

> *There are people who are bitterly against me. They have never seen me, they have never read any of my books, they have never listened to me, they don't know what I'm doing, and yet they are bitterly against me.* - Osho

Bhagwan Sri Rajneesh, also known as Osho, was a contemporary Indian spiritual guide (who lived between 1931 and 1990), both well known for his works and appreciated by many people but also virulently criticised and attacked by the press and authorities. An important aspect of his message is that spiritual practice and spiritual evolution do not require escape or withdrawal from the world through isolation, nor even sexual abstinence.

Osho does not have what can be called a written work. He has not written any books per se. The books published under his name are transcripts of his discourses written by his aspirants. During his lifetime, these transcripts were made under his guidance and attentive supervision. Osho's discourses cover very broad areas of knowledge, from psychology to philosophy, without being a system as such. Osho has adapted traditional Eastern teachings to the specific context of the contemporary world. His discourses are either thematic lectures or sometimes highly developed answers to questions posed by some aspirants. These discourses have been collected in approximately 650 volumes and translated into over 34 languages. Osho has his own vision of both Eastern and Western spiritual traditions, offering a complex, unified, and meaningful perspective upon them.

Since his work in India, Osho has been called by the press: "*The rich man's guru*", "*The Rolls-Royce guru*", "*The free sex guru*". Osho replied, "*Yes, I am the rich man's guru because only rich people come to me. When they come here, they have a good job, a house, a car, and everything they wanted. And suddenly, they realise that none of this fulfils them. Then, the search for God begins. You come to me because you are frustrated with your money, your success, your life. It is only when your bodily needs are fulfilled that your psychological needs*

*arise. When these are also fulfilled, but the inner emptiness persists, spiritual needs are felt: the need to meditate, the desire to pray, the "hunger" for God and Truth."*

When Osho bought his first Rolls-Royce, everyone lashed out at Osho, accusing him that such behaviour was dubious for a person who is spiritually active. In their view, there is a total incompatibility between spirituality and material wealth. *"I worked in India for 20 years. Thousands of people have been transformed, millions have listened to my lectures, and even more have read what I have written. The Times of India, the largest newspaper in India and also the most British and conservative, has not published a single article about me or my work in all that time. The day I bought a car, there was a big article about the car, not about me! What sort of people are these? They don't care about me, they don't care about the meditations, they don't care about the people who come here, they have no idea what's going on here, but they care about a car. Several people came and asked, "Can we see the car?". They were told, "Come to the morning lecture, and then you can see the car" so poor things, they had to listen to the 90-minute lecture just to see the car! In their opinion, if someone wants to become a saint, he must live in complete poverty. It's like a kind of masochism. The more someone tortures himself, the more people believe he is spiritual. Some come here and say: "What's the point of such a big ashram?" They want something dirty and shabby because that is how an ashram should be in their vision. They cannot conceive that the ashram is clean, beautiful, and comfortable. I have been told that I am a hypocrite because I live in a beautiful house, I drive a good car, and I live like a king. You should understand what hypocrisy is. I live according to what I teach others: to live as beautifully as possible and to choose quality. You should call the leader of this country (India) a hypocrite who, although he preaches Gandhi's teachings and non-violence, continues to eat meat."*

Osho replied to the nickname *"the free sex guru"*: *"I cannot be a sex guru because, through my lectures and books, I have tried to teach people to transform their sexual energy into spiritual energy. I am against repressing sexual energy because by repressing it, the chance*

*of spiritual growth is nullified. People who have come to me have become less and less sexual and more and more spiritual. If you want to call me something, call me the anti-sex guru.*"

In the extremely virulent media campaign against him, he was accused of prostitution, brainwashing, amassing huge fortunes, manipulation, and absolute control over his followers. A big media scandal erupted when Eva Renzi, a German actress who visited Poona Ashram, held a press conference at Bombay airport in which she said she had been beaten, raped and if she had not run away, she would have been killed by Osho's men. What the media didn't report was that this actress was in a downward phase of her career and used Osho's popularity to get back into the media spotlight. There has been much discussion that those allegations were not true.

Even her husband wrote Osho a letter telling him that back home, she continues to tell new versions of events in India every day and that he personally does not believe a word of her lies. Here is how Osho commented on the allegations in the press: "*This is how limited consciousness works. If something is written, people immediately believe it is true. The written or printed word has a hypnotic power. People believe all the rubbish written in newspapers, thinking that if it is written, it must be true. The other day, I was reading a German newspaper. It said there that I have two wives, one Indian, the other Western. It seemed very real since I often talk about the East and West coming together. The most amazing thing was that in the photo chosen to illustrate my two wives, one of them was... Shiva. Shiva has long hair, and the picture is taken from behind, so he must have been my Indian wife. Another newspaper said I was flying in a helicopter. Me, who has never left my room before. It's true, I fly sometimes, but without a helicopter. I also discovered here that I eat nothing but eggs, meat, and crayfish! Elsewhere, a reporter says that he came to the ashram early in the morning at 5:30. He knocked on the door, and it was opened by a naked woman who hugged him and handed him a fruit from a tree that looked like an apple, telling him: "Eat, it will revive your sexual energy." You'll be surprised, but after this article appeared, people started sending me letters. Someone from Austria*

*wrote to me: "I am 60 years old, and I have a young wife. Please, Osho, help me, I want to come to India so you can give me some of that fruit". What strange things some people say and think about me. Not only in India but all over the world. Just yesterday, I read an article published in London. It said there that I brainwash people, and when they are completely brainwashed, I send men to do illegal work and women to prostitution. So beware, the writer of this article knows exactly what I do!*

*Yesterday, I received news from Bombay. A sannyasin had come across some photographs in a studio, and in them was someone who looked very much like me at first glance. If you looked closely, you could see that there were only certain similarities. I found out that they had paid this man to stand naked among naked women and had photographed him to publish the pictures all over the world. Excellent idea! They really have imagination. They do it all the time. And I'm not saying they do it with bad intentions. Perhaps they think they are doing a great service to humanity by warning people of the "danger" I represent."*

A well-known journalist from a German newspaper, Stern Magazine, came to Poona Ashram to write an inside story. He stayed for several weeks and enjoyed meditations and lectures, so he gathered a lot of material. He returned to Germany, happy that he would finally be able to write a successful article that would overturn everything that had been known about Osho until then. The proof was himself, having lived there for three weeks and seen it all with his own eyes. To his astonishment, his colleagues told him that he was hypnotised, that he was a different man, that he didn't know what he was doing and that he was brainwashed! Although he fought hard to have the article published as he had written it, only one-sixth of it remained as it was, and the rest was completely distorted by the newspaper people, who had never been to Poona Ashram in their lives and had no way of knowing what it was all about but were convinced that they knew best what was happening there.

When Osho arrived in the US in 1981, he was not at the beginning of his work of awakening and elevating people's consciousness. He

had already given many lectures in India on various spiritual topics, including the integration of sexuality into spirituality. Already, his work in India was being persecuted a lot (there were situations where disciples from all over the world were harassed by the population, and the authorities made it very difficult for them to get visas). Rajneesh's arrival in the US further inflamed the situation. Arriving in Oregon, he founded Rajneeshpuram, which quickly grew into a thriving town of 5,000 people in a place that was once just a desert wasteland.

Attacks from the Reagan government were not long in coming. As an aside, the American presidents before Reagan, including Kennedy, had kept considerable distance between government and church. In the Reagan administration, everyone saw the closeness to the church as an immediate necessity, as undeniable proof of their anti-communist convictions in an era when the Soviet Union was the main adversary. So, an early closeness between the newly elected president and Pope John Paul II was necessary, and this was facilitated by security adviser Zbigniew Brzezinski, who was Polish by birth. The head of the CIA began to meet with the Pope more frequently and reported directly to Reagan on these meetings. All this culminated with Reagan's visit to the Vatican in June 1982, during which a long, private discussion was between him and the Pontiff.

There are numerous testimonies stating that the actions triggered against Osho were requested by Cardinal Joseph Ratzinger, head of the Vatican's Congregation for Doctrine and Faith and second only to the Pope. Osho had repeatedly criticised the papal institution in his lectures and had spoken of the fact that Christianity today has nothing in common with Jesus. For these reasons, Osho had long been on the Vatican's list of banned authors, called *Index Librorum Prohibitorum.*

"*Both Congress and the White House are interested in the activities of this guru and his ashram*," was the content of a telegram to the American Consulate in Bombay signed by Alexander Haig, the US Secretary of State, following Osho's application for an American visa.

The first pressures were generated by the building of Rajneeshpuram in Wasco County and the existence of such a large number of people coming to listen to Osho, some of whom even settled there. Tensions came to a peak in 1983 when the Oregon Attorney General declared Rajneeshpuram an illegal town on the grounds that it had become a religious institution that violated constitutional principles of separation of church and state.

Protracted trials followed, during which time the town's status was uncertain. In 1985, a major conflict arose between Osho and Ma Anand Sheela, his personal secretary, who had spoken on his behalf for many years and had been his right-hand woman for many years. She fled to Germany. Shortly afterwards, Osho publicly accuses her of some illegal and extremely serious actions: an infestation of a restaurant with salmonella, burning of property, wiretapping and attempted murder and calls on the authorities to investigate these acts. Following investigations, Ma Anand Sheela was arrested in Germany in July 1986 and extradited to the US. At trial, she pleaded guilty to the charges and was sentenced to 20 years in federal prison and fined nearly half a million dollars. She was released from prison in December 1988 for good behaviour. She then moved to Switzerland, where she still lives today.

The authorities launched a series of concerted actions against Osho, involving major US agencies such as the INS (Immigration and Naturalization Services), FBI (Federal Bureau of Investigation), CIA (Central Intelligence Agency) and DEA (Drug Enforcement Administration). In an interview, US Attorney Charles Turner led a series of investigations directly targeting Osho and said, "*We sought to use a criminal prosecution to solve what was really a political problem*".

In October 1985, National Guard soldiers and SWAT (Special Weapons and Tactics) special teams surrounded the town of Rajneeshpuram to "take Osho into custody". Helicopters were dispatched, from which divers belonging to the special troops were launched directly into the water to take Rajneeshpuram by surprise. Osho was not there. On 28 October 1985, Osho's plane

landed in Charlotte, North Carolina, to refuel. There, he and his six companions are arrested without a warrant. Osho himself recounts: *"How cowardly to arrest a man who had nothing on him but his clothes, at the threat of 12 armed soldiers. I asked them if they knew what they were doing: they had no warrant, they didn't know why they were arresting me, and then they started shouting at me. I told them: "There's no need to shout. Just tell me what you are arresting me for" and they said nothing. They handcuffed me. I told them then, "I'm not a criminal, and nobody has ever treated me like this before. I'll go with you anywhere you want, and if you want me to go back to Oregon, I'll go back to Oregon, but I want to know what the reason is."*

*It was later revealed that the US Attorney General had asked the National Guard to arrest me, and they were surprised: "Without any evidence, without any court order from the Justice Court, we can't do that". Attorney General E. Meese (who was later charged with many crimes and eventually had to retire from office, even asked the commander-in-chief of the army to arrest, and he laughed and said that never in history has it been known to send an army against one man. "And that's not all," he told the army chief, "you have no evidence! Why don't you ask a court to issue an arrest warrant first?" But they made no such request, and when I was arrested by 12 men with loaded guns, I asked, "Where is the warrant?" They had no warrant. They just had a piece of paper with some names written on it, and I said, "These are not the names of the people you are arresting. You can see our passports." There were six sannyasins with me, none of their names were on that paper. Even then, they didn't want to hear anything.*

*I was arrested and handcuffed, a chain around my waist and chains on my legs. I couldn't even walk. And they were afraid I might lift my hands, so they put another chain on me that connected the handcuffs to the middle chain so I couldn't move my hands. They sped through the city madly because there were photographers everywhere, and if they saw that they had arrested me without a warrant, all their stories of democracy would have seemed like nonsense.*

*The sheriff sitting in the front seat of the car that was taking me to the jail said to me, "There, you will be fully protected". I replied, "If*

*being shackled with chains is protection, then why don't you protect the president or governors like that because their lives are in constant danger? In America, 20% of presidents have been assassinated. That's not a small number. Why don't you keep your presidents in prison?".*

US magistrates denied Osho's bail. Osho expressed his willingness to be flown under police escort with his own plane to Oregon, where the case would be heard. But he was refused, and what should have been a trivial journey of no more than 5-6 hours turned into a 12-day pilgrimage, during which Osho passed through 6 American prisons.

After the first three days in Charlotte, the sheriff came to see Osho, as those with whom he was imprisoned in the same cell had become his disciples. They were joined by the doctor and nurses from the prison hospital, and finally, even the sheriff brought his wife and children to meet Osho. As the cell he was locked in was too small for all the people who wanted to talk to him and spend as much time as possible in his company, the prison doctor asked that he be moved to her office.

To one of the prosecutors who came to visit him and who was amazed at how much of an impact Osho had on the people there, Osho said, "*I haven't had time to rest so much for a long time, everyone is taking care of me. And everyone is concerned about one thing: when I am released and return to the community, everyone wants to come and spend at least a few days there*". The people there even brought him pictures cut out of newspapers for him to autograph, saying, "*This will remind us that you were here for three days. These days, this place was no longer a prison*". Indeed, Osho's incarceration there meant that by evening, so many phone calls were being made at the prison, and so many telegrams were arriving that more operators had to be brought in to deal with them. One of the guards told Osho: "*We have had very important people in this prison: ministers, presidential candidates, but I have never seen anything like this before. You can be sure that now they can't do anything to you, everyone is watching you. They can harass you, but they can't harm you, they can't take that risk.*" So many flowers were sent to him that there was no more room for them, and he asked for the

flowers to be given to the schools and universities in the city, and on the day he was taken under escort to the airport, the streets were full of young people throwing flowers at his car. Osho managed to achieve something never before achieved. He even held a press conference from prison.

From there, Osho was moved and imprisoned under a false name in a prison in Oklahoma. There, Osho claims he was poisoned. His symptoms confirmed the accusations made by the American authorities and clearly indicated poisoning, either with thallium or plutonium irradiation. Here are his statements given shortly after his 12 days in the American prisons: *"In Oklahoma, my suspicions became certainties. I landed in the middle of the night at a deserted airport, and the sheriff himself was there to pick me up; he drove the car himself, and as I sat right behind him, I could hear very clearly what the person who brought me there whispered in his ear: "this guy is known all over the world, and the whole world media is watching him, so don't do anything directly. Be very careful". I started thinking, what is their intention? What do they want to do indirectly? As soon as I arrived in prison, their intention was clear to me. The sheriff asked me not to fill out the jail entry form with my name on it. I had to write David Washington instead. I asked him under what law or constitution he was asking me to do such a foolish thing. I refused because I am not David Washington. He insisted and said, "If you don't sign with the name I told you, you will spend the night on this cold iron bench." I said to him then, "You are a reasonable, well-educated man, don't you realise what a foolish thing you are asking me to do?" He replied, "Don't ask me to answer you, I simply carry out orders from above", and from above he definitely meant the White House, Ronald Reagan. I was tired after all the travelling, and I told him: "Let's make a compromise: you fill in the name David Washington or whatever name you want, and I'll sign." He filled in the form with the name David Washington, and I signed with my signature in Hindi. "What did you write there? You have to write David Washington," he said. "That will remind you that no matter what you try to do directly or indirectly, you will get caught. It is your handwriting and then my*

*signature, which is known all over the world and can be recognised without any great difficulty. Your whole conspiracy has failed." The point was that if I filled in David Washington and signed it, I could have been killed, poisoned, or shot, and there would be no proof that I had ever been there. I had been brought in through the back door of the airport. I had entered the jail also through the back door in the middle of the night so no one would be aware of my presence, and only the sheriff was present, no one else.*

*He took me to the cell and told me to take one of the very dirty, tattered mattresses (the sheriff didn't touch that mattress). I told him, "I'm not a prisoner. You should behave more humanely. I need a blanket and a pillow." He simply refused: "No blanket, no pillow. That's all you get". He locked the door of that dirty little cell and left.*

*Even more bizarre was that early in the morning, at 5 o'clock, he opened the door, and he was like a different man. I couldn't believe my eyes, he had brought a new mattress, a blanket, a pillow, and I said to him "Last night you behaved so primitive, how did you suddenly become so civilised?". He gave me breakfast at such an early hour. No other prison had done it like that. I said, "It's much too early. Why are you paying so much attention to me?"*

*He replied, "Eat quickly. We have to leave for the airport in five minutes". I asked him: "Then why did you bring me a mattress, blanket and pillow?" It later turned out that the first mattress was irradiated with plutonium. He said nothing and walked out, closing the door. Breakfast wasn't much, two slices of bread soaked in some kind of gravy. I couldn't figure out what it was. It had no taste, no smell. Now Dr. Amrito thinks I was poisoned. Maybe they poisoned me in all six prisons, that may have been the reason they didn't want to bail me out and why I spent 12 days on a trip that would normally take 6 hours. A slow poisoning that would not have killed me immediately but would have weakened me in the long run.*

*After the 12 days spent in American prisons, I couldn't sleep anymore. A lot of things started to happen in my physical body that had no place before my appetite disappeared. The food seemed to be bland. I had an unpleasant sensation in my stomach, I had nausea, I*

*felt like vomiting...I was not thirsty anymore, and I felt terribly weak. There seemed to be something wrong with the nervous system, also. I felt tingling all over my body, especially in my hands, and my eyelids fluttered. When I went into prison, I was 75 kg, and today, I am only 65 kg without having changed anything in my diet, I am losing weight for no reason. And there is also a permanent state of weakness, and 3 months ago, the bone in my right hand started hurting very badly. All these are symptoms of the action of certain poisons. My hair has fallen out, my eyesight has weakened, and my beard has turned white as if I had aged 20 years."*

The charges the authorities brought against Osho were of violating immigration laws and arranging fake marriages. *"Because they had no evidence against me, I had not committed any crime, and yet they had to justify my arrest, they blackmailed my lawyers. The US lawyers told them, 'If you value Bhagwan's life, it is better not to go to trial because you know as well as we do that he did nothing and all 34 charges in the case are false. But under no circumstances does the US government want to be defeated in court by one individual." They called this case US v. Bhagwan Shree Rajneesh. The greatest nation in the world, the greatest power in history, of course, did not wish to be defeated by a single powerless human being. The lawyers came to me with tears in their eyes. They said: "We are here to defend you, but it seems impossible. We can't take the risk of going to trial because they told us directly that your life would be in danger. So we have agreed for your sake to accept two minor charges to give the US government the satisfaction of victory so that all they can do is deport you".*

*All of this happened 10 minutes before the start of the trial in Federal Court. Judge Leavy only asked me about the two charges that had been chosen by the lawyers. It is strange that out of the 34 charges, Judge Leavy immediately asked me only about these two without checking the others: "Are you guilty or not guilty of these two crimes?". It was clear that the judge was also part of this conspiracy. But I have my own folly. I said, "I am," and that was it. But my lawyer sitting next to me, Jack Ransom, continued, "Guilty." So that was recorded as a complete sentence, "I am guilty". And I hadn't said that. I would have*

*let myself be crucified rather than accept a false accusation. As I walked out of the courtroom, Jack Ransom said to me, "You've created a very unpleasant situation. Fortunately, Judge Leavy didn't make a note of it."*

*At the end of the trial, the US lawyer concluded lamely: "I was not able to prove against him, but neither was the opposing side able to prove anything else."*

The situation is quite ridiculous since it was not an innocent man who had to prove his innocence, but the government that had wrongfully arrested him had to provide evidence to support the charges that justified the arrest. Contrary to all custom, the sentence was pronounced immediately, and it was obvious that this was not possible unless it had been prepared in advance. Osho was fined $400,000, an amount that shocked even the lawyers, given that the offences were minor. In addition, he was deported from America and was not allowed to return for the next 5 years, and if he tried to enter America, he would face 10 years in prison. He was asked to gather his belongings immediately, and his plane was waiting for him at the airport. He had to leave America immediately so he could not appeal to a higher court.

In order to gather his belongings, Osho is taken to Portland prison. *"They took me to an empty room in which there was nothing but a few chairs. There were a few other offices, but nobody was in them. I asked the man who had brought me to jail: "What is the reason the room is empty?" He said: "I don't know." But I looked him straight in the eyes, and I saw that he knew why. And when I was taken in, there was someone in the room who came out immediately. I was told to sit on a certain chair. And this was strange because there were several chairs in the room. I could have chosen one. But he indicated which one I should sit on. He told me, "I have to go, get my boss's signature, you'll have to wait about 10-15 minutes". I found out later that no boss's signature was needed. I could see for myself on the form he had in his hand, so I asked him, "Where is your boss's signature? It's not needed. It just needs my signature that I got my clothes. No boss needs to sign this". He was so nervous that he was sweating all over in that air-*

*conditioned room. And because he was holding the paper in his hand, the form was shaking. When I arrived at the airport, I heard on TV that there was a bomb under the seat on which I had been waiting for 15 minutes. Maybe it was another arrangement. If I had asked for an appeal or denied the two charges, the bomb would have exploded. That's why the room was empty. And here's why even the man in the room who was supposed to give me my clothes disappeared under the pretext of that signature. But because I accepted false guilt and allowed myself to be fined and deported, the bomb didn't explode."*

Osho returns to India, but because the Indian government is trying to isolate him by cancelling visas for those who want to visit him. He then leaves for Kathmandu. Very quickly, the Nepalese government also refuses visas to those visiting him. He also leaves Nepal and begins a world tour. His first destination is Greece, where, although he is granted a 30-day visa, after just 18 days, the Greek police breaks into his home, arrests him, and deports him. The Greek newspapers reported that pressure from the government and the church prompted the intervention. Over the next two weeks, he visits or asks permission to visit 17 other countries in Europe South and North America. All of them deny or revoke his visa immediately after arrival. Wherever his plane landed, it was followed by another plane carrying US officials with a suitcase full of files and newspaper articles portraying Osho as a hardened criminal that any country would have been better off getting rid of as quickly as possible. Italy, Germany, England, the Netherlands, Switzerland, and Greece were officially closed countries. In Stockholm, the landing was rejected by armed police.

He heads to Uruguay in 1986, a country that had announced at an official press conference that would publicly affirm it was granting him permanent residency. The night before this press conference was about to take place, President Sanguinetti received a phone call from Washington saying that if he will grant permanent residency to Osho, the 6 billion dollars representing the debt that Uruguay encumbered from the USA would be requested back immediately, and no further loans would be offered anymore. Malcolm Wilkey,

the US Ambassador in Uruguay, presents the President with a CIA report which stated: "*Bhagwan Shree Rajneesh is a very intelligent man. He is very dangerous. He is an anarchist. He has the power to transform people's consciousness.*" The President has no choice but to ask him to leave the country.

In the following months, he is also banished from Jamaica and Portugal. In the European Parliament in Strasbourg, a motion was introduced by 12 leading members calling for "*European cooperation to ensure that the leader Bhagawan is not allowed to enter any of the member states of the Community. The Parliament expects these states to take measures in their legislative systems to prevent Osho from taking up residence on their territory*". Although the motion has not been formally approved, the behaviour of the states concerned shows that it has been respected. In 1986, Osho returned to Mumbai, India, where he remained until the end of his life in 1990, continuing to give lectures and group meditations.

The above quotes are taken from Max Brecher's book "A *Passage to America*" and "*Osho's Autobiography*." In 1989, Max Brecher began documenting to write a book about Osho's abusive arrest and international harassment. He interviews 60 people who were directly involved in the events: policemen, prison chiefs, journalists, officials, etc. He collects official documents. Nine of the key people refuse to participate. However, the whole conspiracy comes to light. The book is sent to several publishers around the world, but all of them (30) refuse. In 1991, the manuscript is accepted by an Indian publisher, but they, too, cancel the contract shortly afterwards. It seems that the Indian government's efforts to get on good terms with the US are paying off. It is only in 1993 that the book is accepted by Book Quest Publishers in Bombay. But the book's launch is not echoed in the press, especially in the West.

## The Ananda Assisi case

*Power without justice is tyrannical.* – Blaise Pascal

Another example is the Ananda Assisi organisation. On the morning of 14 January 2004, members of the Ananda Assisi spiritual community in Italy were awakened by a visit from 80 armed Carabinieri, accompanied by agents of the Italian Financial Guard. They broke into their homes and told them they were conducting a search following an accusation. It was later revealed that the complaint had been made by a man who had worked in the community shop for a while but had been fired following customer complaints. He had sent several angry threats to destroy them.

They are accused of fraudulent conspiracy to defraud, mental manipulation, enslaving members of the group and financial exploitation. The search lasts a whole day. The houses, the two companies (Inner Life, which sells religious objects, and the publishing house Ananda Edizioni) and the community's guest house are searched in detail. Nothing is found, although, according to the Carabinieri themselves, they expected to find drugs and illegal video recordings. They almost apologise for coming in such large numbers for nothing. However, on their departure, they take with them the computers (for further checks), the sum of €20,000 representing the community's income, as well as members' personal savings and the money deposited in the guest house safe by those visiting at the time. At the same time, €300,000 worth of community bank accounts are blocked.

No one is arrested at the time, but on 29 February 2004, 9 people are taken to the Perugia prison. They are three Germans, four Americans and two Italians aged between 37 and 59. They are held there for investigation until 7 March 2004, after which they are released. It was only in April that the confiscated computers were recovered, and the accounts were unblocked. Throughout this period, the activities of the community were in great financial difficulty, yet the most important event that had been

planned for February took place: the initiation into *Kriya Yoga* of 200 people who came there from several European countries and the USA and the celebration of the moment of *Mahasamadhi* of the great yogi Yogananda (i.e., the moment when he left this physical plane).

All the while, the local and national press, newspapers, and TV stations were spreading all sorts of false claims. There is talk of members being enslaved and detained in community homes against their will, that they are being brainwashed, that Ananda is using their money and cheating them, and that one of the female followers committed suicide. Here are some examples of articles published by Italian newspapers:

"*The religious group enslaved its followers. Nine arrested*",

"*Ananda followers defend themselves. Financial Guard and Carabinieri at work on documents – The Financial Guard found large amounts of documents that could prove illegal, as well as an abusive construction of a "temple" of approx. 350 m². In 2002, an investigation took place after the Carabinieri found an advertisement for substances not authorised by the Ministry of Health on the group's website*".

"*After the Financial Guard raids and the investigation of 11 representatives of the community, Ananda says in his defence: "We are free people!". The sect's leaders deny the charges: no slavery; smoking, alcohol and drugs are forbidden.*"

"*Ananda Community: Nine in jail, the spiritual leader wanted – There are nine people arrested, while the spiritual leader of the pseudo-religious community is nowhere to be found, probably being in India. He is 78-year-old J.D.W., born in Romania but of American nationality.*"

"*After seizing 18 properties worth approx. 2 million euros, 256 computers, 4 servers and now also bank accounts worth €600,000 belonging to the entire community and its followers, the Financial Guard investigators are convinced that they have caught a vast ring of tax illegalities.*" (Note that the numbers presented here do not coincide with the ones in other articles).

"*Last year, several investigations were carried out by the Carabinieri of Nocera Umbra following complaints from ex-members who complained that to join the organisation, you have to give up your own possessions, thus being "saved" from illness and unhappiness. Thus, followers abandoned everything and everyone to join the association.*"

"*Today, prosecutor Nicola Miriano said during a press conference that the arrestees are "very dangerous to society not because of their weapons, but because of their power to persuade people to donate all their assets to the community.*"

"*No less than 8,000 people are said to have passed through the community's "mother house" in three years, and in the branches in Italy, of which there are about 50 in number, everyone who joins has to pay a fee and put their possessions at the disposal of the organisation to obtain spiritual elevation and eventual cures for physical and mental illness.*"

"*Disciples? No, slaves. Nine arrests*"

"*Seizures, but the community responds: 'Peace'.*"

Lawyer Giuseppe Caforio says that "*the way in which the seizure was carried out and the type of offences alleged is surprising. We are on the edge of science fiction, much of the material seized is of no use to them. And all that cash? It's the salaries that need to be paid to 100 Ananda employees, all recorded correctly.*" The Financial Guard will later confirm the correctness of the data, with all figures being accounted for.

Ananda Assisi describes itself in a statement as "*a spiritual community built to support the spiritual life of associates and guests in a beneficial, harmonious and inspiring environment*". The centre provides a year-round retreat for visitors from all over the world and runs various activities. "*We lead a simple life. In addition to serving our guests, we spend time in prayer and meditation.*" Alongside the guest house operates Inner Life, which sells products needed for spiritual practice, and Ananda Edizioni, which publishes yoga and meditation books.

Ananda Assisi is one of the many Ananda communities around the world initiated by Swami Kriyananda (J. Donald Walters ). He

became a disciple of Paramahansa Yogananda in 1948. In the 1920s, Paramahansa Yogananda came to the USA, where, in order to support people's spiritual evolution through direct contact with God, he created the Self-Realization-Fellowship (SRF). Swami Kriyananda was a member of the SRF for a long time and even served for a while as its vice president. But while the SRF increasingly insisted on the authority of the institution, Swami Kriyananda put personal inspiration first. This led Swami Kriyananda to separate from SRF in 1968 and founded the first Ananda community in the USA. For many years, attempts were made to create the impression that Ananda was an abusive cult and Swami Kriyananda was a dictator thirsting for sex, money, and power. Beginning in 1994, a fierce campaign to discredit Swami Kriyananda was launched, culminating in a lawsuit filed by Anne-Marie Bertolucci in which Swami Kriyananda was accused of sexual abuse.

In 1990, what started as a classic theological dispute was changed into a legal battle. SRF wanted full control over Paramahansa Yogananda's teachings and requested the trademark registration of the name Self-Realization and even of the name Paramahansa Yogananda. In 1990, SRF sued Ananda for copyright infringement because it changed its name to Ananda Church of Self-Realization. The trial lasted 12 years and ended in November 2002, and the Ananda community was overwhelmingly victorious. The verdict in the SRF lawsuit was to cancel the trademark status of Self-Realization and the name Paramahansa Yogananda, to cancel the accusation that Ananda would like to pass itself off as SRF by using a similar name, to cancel the accusation that SRF's reputation is damaged by possible confusion with Ananda, the non-existence of any publicity rights over Paramahansa Yogananda's name, voice and image, the determination that SRF has no copyright in Paramahansa Yogananda's published works while he was alive and no copyright in Paramahansa Yogananda's photographs. This made it possible for Ananda to publish the book "Autobiography of a Yogi".

Anne-Marie Bertolucci was a fellow of Ananda and lived at Ananda Village in the USA. There, she met Danny Levin. They had an amorous

relationship, which lasted for many months, after which Danny decided to return to his wife and broke up with Anne-Marie. She felt very much humiliated and, in a discussion with Swami Kriyananda, said that she would do everything possible to get Danny back. Swami Kriyananda then asked her to move to another city to not damage Levin's marriage, and she left angrily for Ananda Palo Alto. Shortly after, she met Eric Step, and with his help, she registered as an SRF member. Step was one of the oldest disciples of Kriyananda, and he had been kicked out of the community because of his bad attitude. He was already known for his obsession to destroy Swami Kriyananda. He told everybody that Swami Kriyananda had not revealed the Self (although Kriyananda had never claimed this) and spoke about the spiritual superiority of Daya Mata, the SRF leader. He is the one who advised Anne-Marie Bertolucci to start the trial, accusing her ex-lover, Danny Levin, of sexual abuse. He also found a lawyer for her, Ford Greene, also known for his obsession to destroy "cults." Immediately after drawing up the court file, Eric and his wife Naomi started to send warnings to Ananda's followers about something very important that was about to happen, and if they want to protect the community's credibility, they would have to get rid of Swami Kriyananda. Something which, of course, they didn't do.

Interestingly, Swami Kriyananda was not initially accused of anything, although Anne Marie Bertolucci spoke about him frequently during the hearings. After the lawyer Ford Green entered the scene, the situation changed completely. During a hearing, when Bertolucci spoke about one of her discussions with Kriyananda, the lawyer asked for a short recess in which he spoke privately with Bertolucci. Upon her return to the courtroom, she changed her testimony, accusing Swami Kriyananda for the first time of sexual advances and abuse against her. It was inferred that Green had advised her to give false testimony against Swami Kriyananda and that the whole trial was, in fact, targeting him. Especially since, in the wake of the copyright fiasco, the SRF sought to discredit him at all costs. From 1994 to 1999, Bertolucci and her supporters systematically contacted any woman inside or outside the Ananda community who

might ever have had any connection to Swami Kriyananda, hoping to find one who would testify that Kriyananda had sexually abused her. Four women eventually appeared in the trial, all of whom had, at some point, a consensual amorous relationship with Kriyananda. In the years that had passed since the relationships stopped, all of them had maintained a very good relationship with Kriyananda, but they lied at the trial. The four women were systematically presented as victims (it is important to add that the press presented them as teenagers at the time when they were "abused" by Kriyananda; they were under 21 years of age and therefore minors according to the American law, not mature enough and easily manipulated by their spiritual mentor). Since all four women had occupied an important place in Kriyananda's life, all the community members knew them and could attest that their testimonies were false. However, throughout the trial, there were extremely serious violations of the law, and the defence lawyers were not even allowed to cross-examine the four women in front of the jury to prove their statements were false.

The trial was doubled by the articles in the media, which presented Ananda as an organisation destined to recruitment of young women for Kriyananda's harem, which exploited the women, leading to the isolation of the members from their families and preventing them from leaving the community at will. Headlines in the press spoke about brainwashing and sexual abuse (e.g. "*Brainwashing lawsuit. Charges of sexual abuse*", "*Searching for the Swami's treasure*", "*Swami faces Zombie sex rap*", "*The strange swami and sex*").

A significant fact that proves the SRF's involvement in this unjust trial was the obligation of the Ananda community to pay the amount of $1.800.000, money which the organisation didn't have because of the lawsuits it had been dragged into. Since the organisation owed her money, Bertolucci didn't hesitate to come up with a "rescue" proposal. She said she knew of a buyer willing to pay a much higher amount than the actual value for the copyright of Kriyananda's books so that the organisation could cover its debt. It was obvious that the SRF had been behind this and had been seeking a monopoly on the propagation of Yogananda's teachings for many years and that the

books would never see the light of day. But Ananda did not fall into this trap and was able to pay off his debts over 5 years.

After this trial, Kriyananda moved to Italy, where he lived in the Ananda Assisi community until his passing in 2013, which, not coincidentally in January 2004, was the subject of the searches and investigations described at the beginning.

## A Shocking and Continuing Persecution of Polish Yogis

> *When liberty becomes a license, dictatorship is near.* - Will Durant

The case of a spiritual school in Poland, which has been subjected to systematic discrimination, abuse, and attacks by the Polish authorities, is shocking. Members of the Himavanti school in Poland, led by their leader Lalit Mohan, have been cruelly beaten and imprisoned for practicing yoga. Also, in their case, suspicions and fears take the place of evidence, the police and secret services behave like highway robbers, the justice system turns a blind eye to the evidence, and the media misinform and incite public opinion. From 1999 until now, Ryszard Matusyewski, the spiritual leader of a yoga school in Poland, spent many years in prison in appalling conditions. He was cruelly beaten, tortured, starved, and drugged with psychotropic drugs. Every time he was freed, he tenaciously resumed teaching yoga classes and lectures and continued the efforts to register the HCO (Himavanti Confraternity Order) as a religious community. The intolerance of Polish authorities and the indifference of the politicians towards the plight of the Polish yogis are "worthy" descendants of the atrocities that happened during the Crusades and the Inquisition.

The media was quick to make its mark, portraying the Himavanti Confraternity as an extremely dangerous criminal group. Because several people close to Mohan appeared on television and pointed out what the truth was and how many abuses had been committed, in November 2003, Newsweek published an article full of slander and lies against Himavanti and its leader. This was followed by a series of similar articles in the Polish daily newspaper Fakt (which has the same owner as Newsweek), and several slanderous broadcasts appeared on television. The lying articles published in the daily newspaper Fakt about Himavanti were the starting point for increasing illegality and discrimination. The Minister of Education

has begun a campaign to 'cleanse' Polish schools of non-Catholic teachers. "*The supervisors will check whether activists from sects that are registered in the database of the police and other services have contact with our schools. It is forbidden for school principals to hire teachers who in their spare time act in dangerous sects*," says a memo from the Education Minister, which blatantly violates Polish law and human rights.

Bractwo Zakonne Himavanti - Himavanti Confraternity Order (HCO) - is an integral yoga school in the Shaivit tradition led by Ryszard Matuszewski (also known by the initiatory name of Lalit Mohan). Their yoga practice is centred on the Laya Yoga system, and Lalit Mohan was initiated in this traditional system in India.

Ryszard Matusewski, born in February 1962 in Poland, has dedicated his life to spirituality. Concerned with yoga, he converted to Hinduism and was initiated in certain forms of yoga (mainly Laya Yoga) by Swami Baba Shyam Charan Shivananda of Darjeeling. In 1984, he received the name and initiatory title of Layacharia Lalit Mohan. He founded a traditional yoga school in Poland and a Hindu community (HCO). His courses were very successful. In 1996, he proposed the founding of a Hindu spiritual community and applied for it to be entered into the register of officially recognised cults in Poland. That is when the problems and persecution against him from the authorities began.

After starting the procedures for registering as a religious community, the officials initiated extensive surveillance, repression and discrediting of Polish yogis. Over the past 10 years, Ryszard Matuszewski has been imprisoned several times. He was repeatedly and cruelly beaten by the police, psychologically abused, tortured, starved, and poisoned. Even when he was free, he was under constant surveillance. He was kidnapped by the authorities, thrown into prison without a warrant, and detained in psychiatric hospitals without any psychiatric diagnosis. In April 2006, he was again put in prison, where he stayed until the end of 2007 when he was freed through a decision of the Polish Supreme Court. Ryszard was arrested for the first time in August 1996, just before the start of the yoga

courses in Czestochowa. He was seized by an anti-terrorist brigade and subjected to exhausting interrogations and was threatened with death, as well as the killing of his close acquaintances. The investigation against him was finished in October, and the trial ended in April 1997, with a sentence of one year and a half in jail (or three years of probation in the case of conditioned discharge). During the trial, the defence witnesses were not heard, and the evidence for his accusation was some handwritten notes which proved to be forged. Nevertheless, all the subsequent appeals were rejected.

The second investigation started in November 1998. Mohan was arrested in June 1999 in the city of Jaworzno for refusing to undergo a psychiatric evaluation, which he had been asked to undergo as part of this investigation. He is dragged off in chains, beaten brutally and thrown down the stairs. On the occasion of his arrest, absolutely no one close to him is informed of what has happened to him, nor is he allowed to contact anyone. He is imprisoned in Czestochowa and then taken to Krakow prison. He is forcibly subjected to psychiatric tests (for which he was arrested) but is not released. His pre-trial detention is extended again without any actual sentence being passed against him. In May 2000, Mohan loses consciousness after being kept in a small room, clogged with cigarette smoke. He is diagnosed as having a heart condition, but on 2 June, he receives the recommendation to be placed in a psychiatric hospital under strict supervision, although he has not been diagnosed with any psychiatric condition!

All the legal steps taken to defend him have had no effect. Fortunately, in May 2001, the Helsinki Committee for the Defence of Human Rights sent a document signed by a group of lawyers pleading for the yogi's release, so he was released on 16 May after more than two years in jail. But his ordeal didn't stop there. In April 2002, Mohan was interrupted by a police raid while giving a lecture on sects. He is beaten by police officers, to the horror of dozens of witnesses, forced into a car and taken to police headquarters, where he is cruelly beaten. In June, he is again savagely beaten by police officers in the street and temporarily arrested.

In August 2002, he is again imprisoned, and on 20 August, the warrant for his arrest for 3 months is issued in court. Although there is no court sentence against him this time either, his temporary detention is extended again and again until March 2003, when he is released from prison, but only because of his disastrous state of health reached due to the torture he had been subjected to. During this period, he was shuttled from one prison to another, from one town to another, his periods in prison alternating with those spent in psychiatric hospitals for the dangerously ill.

After his release in March 2003, his freedom is again short-lived. On 6 May 2003, after only 2 months, he is again thrown in prison. Again, he is moved from one prison to another, from one trial to another, deprived of the most basic rights, such as having a lawyer, being visited by his friends, and receiving vegetarian food or clothes. He is kept either in custody, in pre-trial detention or under psychiatric supervision. In August 2005, he is released due to his extremely poor health.

Soon, he is charged again - but this time, Ryszard Matuszewski is nowhere to be found. A period of searches and strict surveillance of yoga practitioners followed. Although he is wanted, Matuszewski holds yoga classes underground and practices meditation with his students. In early 2006, the media campaign against him and other yogis intensified. Following a fierce police search, he is found in April 2006 in the home of Ewa S. in Katowice. The house is searched without a warrant, Ewa S. is severely beaten, and Mohan is arrested again - on 6 April. He was in prison, as far as is known, until the end of 2007.

The yogi Lalit Mohan has been dragged for years from one prison to another as a dangerous criminal. The homes of Polish yogis have repeatedly been raided by anti-terrorist squads. They have been beaten on the street, beaten at police headquarters, and beaten in prison. At court appearances, Mohan was brought in chains, with extreme security measures. He was tortured physically, mentally, and psychologically. A fierce media campaign was unleashed against him and the yoga school he founded, violating the elementary

presumption of innocence and trumpeting terrible accusations. Yogis were fired from their jobs (especially those working in education), and the yoga school was virtually destroyed. Many of them had to leave their country.

What could the Polish yogis have done that was so terrible? What are the charges against them? First, in 1996, Mohan was accused of planning to blow up the Jasna Gora church in the town of Czestochowa, an act classified as "religious terrorism". In 1998, he was accused of writing insulting messages to various people. He was then sent a letter asking him to undergo a psychiatric examination. Because he cuts his first name off the envelope and puts the name of the priest from Jasna Gora (who has the same last name) on it and sends the letter to him - a deed that can possibly be considered a bad joke, but not a crime - he is charged with falsifying official documents.

Over time, the media campaign creates the impression that he is a public danger but, above all, a danger to the Catholic Church and its officials. There is repeated talk of a possible attack on the Pope. At one point, he was also accused of committing crimes via the Internet. In 2003, he was accused of attacking a woman, a former yoga practitioner, in the street. In 2005, he was accused by the warden of Bydgoszcz prison of vandalising his car and was sentenced to 10 months, later increased to 2 years in prison.

The charges against Lalit Mohan are by no means so serious as to justify the brutal treatment he was subjected to. All the more shocking is the astonishing paucity of evidence to support these charges. The leitmotif of the prosecution's "evidence" is some writings, threatening or insulting letters, which he is alleged to have written, e.g., a letter stating his intention to blow up Jasna Gora church. The problem is that the defence proved that all of these were forgeries written by someone in his entourage. All the defence arguments, including the graphology test, were seen in court as *"a way of misleading the court"*. In another trial, he was accused of writing threatening and insulting letters to the pope, but he was in prison at the time and had no way of writing and sending those letters - they were, in fact,

scribbles added to letters to Mohan himself, but letters that were never sent to him.

At one point, there were also accusations related to cybercrime; another time, he was accused of assaulting Bozena M., but in both cases, he was, in fact, in another town, far away, and being on probation, he signed in daily at the local police station. In the case of this alleged assault, there is only the testimony of one person, and the account is so fluctuating that it cannot be credible.

As for the most recent case, when he was accused by the warden of Bydgoszcz prison of vandalising his car, not only did he not have a shred of evidence, but moreover, Ryszard Matuszewski was in prison at the time of the alleged event, and the warden's car was always parked outside the prison. Could the prison warden's anger at the countless complaints lodged by the Polish yogi and his supporters about his abusive treatment in Bydgoszcz prison have played a role here?

How is it possible that based on ridiculous accusations backed up by derisory "evidence", a man could be dragged for years from one prison to another, treated as a dangerous criminal, tortured, and abused in a systematic effort to destroy his health and stifle his will to teach yoga in Poland?

All these abuses are possible because justice, subservient to the hidden interests of those who control modern society from the shadows, is indeed blind. And the blindness of contemporary justice is by no means a noble symbol of impartiality but a painful reality. We also recognise the pattern of action here when a spiritual school is attacked - it is clear that in this situation, there is a shadowy power that first ordered and then covered up (and rewarded) all the abuses.

In the case of the Polish yogis, the brutality of the authorities brings to mind the Third World rather than the European Union: the use of extreme violence - repeatedly and savagely beaten in public places - the storming of homes without a search warrant and without the police identifying themselves, the illegal confiscation or destruction of countless personal belongings. The fierce press

campaign and discrimination in the workplace are also in line with abuses and violations of human rights.

But for Lalit Mohan, the abuses are beyond imagination. Even when he was heard as a witness, he was treated with extraordinary violence. In prison, he was denied the right to contact those close to him. For months, he was also denied the right to a lawyer or to be visited in prison. He has been forced to eat meat and take medication despite being a vegetarian and requesting to undergo natural treatment for ailments he acquired in prison. He has been poisoned, tortured, psychiatrically abused, and “medicated” with psychotropic drugs. When his vegetarian diet was denied for "lack of funds", and his relatives offered to bring him food, they were refused on the grounds that they would poison him. He was not even allowed to receive clothes and was kept all winter in thin clothes in deplorable conditions. In 2004, only one person was allowed to visit him for two hours a month, and he was allowed a small amount of vegetarian food (5 kg!) per month. At his last arrest in April 2006, he was moved to no less than six different prisons.

The most recent information I found on the internet about Lalit Mohan was that in 2012, he organised a Laya Yoga camp. No other information about him has been found after that date.

Probably the most shocking of all abuses suffered by the Polish yogi is the psychiatric abuse. Certainly, it was sought from the very beginning to give this direction to his case because the law tends to grant fewer and fewer rights to people suspected of mental problems and more and more rights to the repressive apparatus towards people wrongly labelled with such problems.

This is much the same as what is provided for in the relatively recently adopted international legislation on the fight against terrorism. When a person is suspected of terrorism, basic civil rights are completely disregarded. Although thousands of shocking cases of abuse and error have been reported, still the ones “suspected of terrorism” (a completely undefined legal term) can be abducted, kidnapped, or tortured without the basic right to defend themselves to contact a lawyer. We can see that, from the outset, the Polish

authorities have tried to frame the charges against Ryszard Matuszevski in these two situations, which allow fundamental human rights to be violated: charges of terrorism coupled with the suspicion of psychological imbalance.

The practice of silencing political and religious dissidents by classifying them as “mentally ill' was extremely common in the communist regime from its establishment in the USSR in 1917. After the Second World War, this highly profitable practice for the occult forces running the world was “exported” to the West via the United Nations while continuing to wreak havoc in the countries of the communist bloc.

In many US states, current legislation allows for the 90-day detention of anyone suspected of having psychiatric illnesses, coupled with the confiscation of all their property.

The Nomenclature of Mental Illnesses, published by the American Psychiatric Association, lists among the criteria for psychiatric illnesses the following: *"any unusual experience of perception, magical thinking, clairvoyance, telepathy, sixth sense, sensory contact with an absent person"*. We note that all of these refer to religious and spiritual experiences, and we recognise here another manoeuvre in the fight against spirituality.

Although current European legislation seems to better protect citizens' rights against psychiatric abuse, in Ryzard Matuszevski's case, it did not work. He was ordered to undergo psychiatric tests; when he refused, he was imprisoned and had these tests carried out forcibly. Further, although he was not given a psychiatric diagnosis to justify his torture, he was imprisoned in an asylum with dangerously mentally ill people. He was drugged with psychotropic drugs that could destroy even a completely sane man. And this was despite the fact that the only diagnosis he was given was a heart condition: ischemia!

Two aspects amaze us when we analyse the sequence of events in Poland. It cannot be something “random” or “coincidences”. First, the chain of aggressions seems to obsessively run in parallel with the efforts of HCO members to register their school in the registry

of officially accepted religious groups. Aggressions seem to occur precisely to discourage these efforts. Whenever they file paperwork or make a request to do so, they are attacked either directly or through a media campaign. The second aspect, far more shocking than the first, is the timing of Lalit Mohan's arrests with the Pope's visits to Poland. The former Pope, John Paul II, of Jewish nationality, was originally from Poland and regularly visited the country. As a matter of fact, each time, the police took care to arrest Mohan a day or two in advance of any visit. This happened even before the outrageous accusations of threatening John Paul II were made against him, but also after the Pope died and was replaced by Benedict II. Most recently, in April 2006, Mohan was arrested ahead of the new Pope Benedict's visit to Poland. There has been much fuss made in the press about the potential danger he and other yogis might pose. There have been talks of a possible attack. Furthermore, the policeman who made the arrest was decorated!

"*Western democracies hate spiritual guides*," explains Olivier Manitara in an October 2003 article in L'Essentiel magazine. "*It is the same conflict of authority that existed between the Sanhedrin priests and Jesus... We can say that like Jesus, in this respect, it is every spiritual guide who disturbs the current power or spiritual authority because he risks exposing its imposture.*" Olivier Manitara was himself the victim of a raid, followed by interrogations and a rigged trial in France.

## Swami Premananda's Incredible and Shocking Trial

> *God has chosen to send me to this prison to do godly work, and I accept this mission with joy. I am here to help everyone. I am a mother and father to even the most terrible criminal.*
> - Swami Premananda

Swami Premananda was born in Sri Lanka on 17 November 1951. From early childhood, he manifested an exceptional spiritual fervour and the ability to perform certain wonders.

After profound introspection, he decided to dedicate his life and God-given gifts to the service of humanity. At the age of 16, he founded his first ashram: "Peace Abode for All Religions", and an orphanage. He became a sannyasin at the age of 17, after one evening in 1969, in the presence of 200 people, as he spoke to those present about God, his body began to radiate an intense light and the white robes he was wearing changed their colour to ochre, the colour of the robes of sannyasins, those who renounce the world in search of God.

His teachings far surpass the teachings of a simple Buddhist monk. They are universal. From the very beginning, he was confronted with the narrowness of ordinary mentalities. During the ethnic unrest in 1983, his ashram was burned to the ground and turned into ashes. He then goes to the southern Indian province of Tamil Nadu, where his parents were born, and builds a new ashram and an orphanage. This was inaugurated in 1989. In Sri Premananda's ashram, there was never a problem of differences. "*Here, class, caste, religion, it doesn't matter. Whether you are a Buddhist, a Hindu, a Muslim, or any other religion, it does not matter to me. What interests me is how you behave*," Swami Premananda used to say. After just five years, his reputation for holiness, devotion, endless love, and spiritual wisdom had won countless hearts. People came to see him from all parts of India and other countries as well. Then came the next attack on his mission: his defamation, arrest, conviction, and imprisonment.

The media smear campaign, the torture methods of the police and the prosecution to extract incriminating testimonies, and the

disregard of laws and factual evidence led to a controversial trial and a verdict that is non-existent in Indian justice: "*twice imprisoned for life*" and no pardon. A living example of the wisdom he teaches, Swami Premananda, ever serene, continued his spiritual work from behind bars until he left the physical plane on 21 February 2011. For more than 16 years, Swami Premananda was in prison for crimes that never happened, namely the rape of 13 young girls raised at the ashram and the murder of a young Sri Lankan man, a mentally ill man who was admitted to the ashram at the request of his parents.

The scandalous trial has exposed the corruption of a decadent society in which the administrative system, the press, the police, and the judiciary participate in an undignified way in the attempt to discredit and curb the actions of a spiritual guide. Faced with this shocking situation, Ram Jethmalani, counsel for defence lawyers, member of the Indian Parliament and former Minister of Justice, says: "*All we can do is bow our heads in shame.*"

As for Swami Premananda, he astonished everyone with his attitude of profound peace, endless patience, and unshakeable joy. "*No matter how far back in the past we go up the thread of the ages*," he explains, "*whenever a great saint, sage or avatar incarnates, each time there are forces opposing him, people trying to prevent the spread of his message and creating difficulties for him. But deified beings are not saddened or troubled by this; they never give up. They are neither depressed nor tense, always living with joy, no matter what events occur on their life's journey.*"

In early November 1994, a fierce media campaign against Swami Premananda and his ashram was unleashed in the Tamil Nadu province. At its origin were Suresh Kumari and Latha, two young girls brought up in the ashram who were baited and cajoled by two men, Marc Dennis and Anand Mohan, made some very compromising statements to the Madras-based Indian Express, one of the most widely read newspapers in India. Suresh Kumari claimed she was raped eight years ago, and Latha was allegedly a witness. She then added that other girls in the ashram were allegedly subjected to the same treatment. The two girls were promised €10,000 each, plus

land, jewellery, and clothes, in exchange for false statements. Before long, the accusations against Swami Premananda are being reported in unison by all the newspapers; the most heinous crimes are being blamed on him, and people believe everything they read in the press. People want to burn down the ashram which a week ago was so highly regarded. Swami Premananda's ashram, since its opening in 1989, has received many children from neighbouring villages, especially poor children. Those who were most in need of help found refuge in the orphanage, and there they received free schooling, education, shelter, food, and medical care. They found a chance to escape the limitations generated by being born outside of caste and thus had the chance of benefiting from an honourable place in society.

Surely enough, after reading all those lies in the newspapers, people wanted to burn down the ashram, a place where social and religious differences no longer existed, a place where no distinction was made between men and women. Swami Premananda believed women could also reach a high spiritual level and offered them the same opportunities as men. They practiced rituals in public and had positions of responsibility in the ashram organisation - one woman was even appointed as a leader of the spiritual establishment. One day in Cuddalore prison, Swami Premananda asked with a playful look: "*How many women are here? There are only two men. The majority of prisoners are women. This is one of the reasons I am in prison. If I would have taught Sanathana Dharma to men, I would have followed the traditional culture. When all of a sudden, somebody gives women the chance to follow a spiritual path and teaches them, what happens? He goes to prison. Because this is something slightly different.*" He said on other occasions that other reasons for going to prison are because he tells the truth fearlessly but also because this was the game of politicians, religious officials, and the government. "*I have never done any crime. I surrender myself totally to God's Will. The truth will triumph in the end*," he said serenely.

The press published 28 charges against Swami Premananda and his ashram. Among them are rape, murder, possession of weapons and drugs, trafficking of young girls, making pornographic films,

abducting children, practising abortion, terrorist activities with the Tamil liberation movement, etc. Things got so bad that the government asked the police crime division to intervene. The police launched an investigation on the basis of Suresh Kumari's statement, but it had no legal value, as Indian law does not admit statements about events that happened more than eight years ago. In addition, the girl's mother testified at the trial in Swami Premananda's defence, pointing out her daughter's immense falsehood, which was completely ignored by the judge. As for the two instigators of the press campaign - Mark Dennis and Anand Mohan - they testified calmly at the trial that they wanted to harm Premananda because they had been excluded from the ashram and marginalised. The latter is a drug addict, and the former is an American to whom Swami Premananda refused to grant sannyasin initiation, which he had granted to many others.

But the press campaign was matched by a campaign by organisations, including the Indian Women's Democratic Organisation, which is known to have links to the communist movement. The entire region was plastered with giant posters depicting Swami Premananda behind bars and demanding his arrest. At the political behest of the ruling party, the police intervened in force. On 18 November 1994, 200 policemen armed with automatic weapons stormed the ashram and Swami Premananda was arrested, along with six others accused of complicity. Among them was also a woman, the ashram's doctor, later accused of performing abortions. She served two years in prison. One of the five men died in prison in 2001, and the other four - along with Swami Premananda - were jailed for terms exceeding "life imprisonment".

The defamation would then continue throughout the trial, exerting such pressure that the defence lawyer said, "*The government, the police and the judges know he is innocent. But he was convicted to satisfy public opinion, the current of opinion that has been generated by the media for profit.*"

On 19 November 1994, 20 young girls from the ashram were forcibly brought to the police for questioning, although they had

not filed any complaint! Moreover, Indian law prohibits women from being brought to the station for questioning. The Indian Penal Code stipulates in Article 160 that no woman can be taken away from her home for interrogation. The fact that the Indian judiciary has enacted such a law is enough in itself to give us an idea of common police practice during interrogations, especially where women are concerned: rape, torture. Yet, everyone has taken this law lightly. Aruljothy, one of the young girls questioned, would reveal the unbelievable reality four years later: "*Our nightmare began at the women's police station in Puddukkotai. There, the policewomen forced us to undress. We were very scared and ashamed to be naked in public. There were some men watching us from the balcony above. The police stuck long needles under our fingernails. They tortured us and beat us brutally, with bare hands and sticks, to make us say that Swami had raped us.*" She added: "*The police kept us locked up for 15 days in a small, dark room. Their aim was to make us say that Swami raped us and did other horrible things. They made us sign blank (white) papers on which they then wrote whatever they wanted. Some girls were beaten so badly that they lost consciousness. Princey wanted to hang herself from the fan*".

This episode at the Puddukkotai station resulted in 13 rape charges against Swami Premananda, which will serve as evidence for the trial and conviction. But the statements are so contradictory, imprecise and at times ridiculous that the court should not have taken them seriously. After the 15 days of torture, the girls were told that the ashram where they were living had been closed, and they were taken to Madras, to a home for the needy that goes by the generous name of "Helping Hands." There, they were subjected to similar treatment and were detained for two and a half years without being able to contact anyone at all, thus being prevented from testifying. Before the trial, they were moved to another settlement and there, under the supervision of police inspectors, four lawyers were brought in, who “coached” the girls to testify at the trial based on some statements that didn’t belong to them - and which they had to learn by heart.

However, in March 1997, Aruljothy plucks up courage and, despite threats from Inspector Kuppaswamy that her bones will be broken and she would be forced into prostitution if she tells the truth, she confesses and declares in court that the girls' testimonies against Swami Premananda are due to the horrific torture they were subjected to. The judge, Mrs Banumathy, finds this course of action justified: "*Even if force was used, such a light use of force may have been essential to bring the victims out of their seclusion and out from under Swami Premananda's influence and to remove their fear; such light use of force was not intended to induce fear in the victims, which would have diminished the value of their testimony*". The judge concludes, "*The prosecution witness No. 14, Aruljothy, was later drawn to the side of the accused No. 1, Swami Premananda and accordingly no credit can be given to her present statement. The first statement is still considered valid*". Later, Aruljothy and seven other girls retracted their original statements, recounting how they were extracted from them under torture, but even this did not have the slightest effect.

On 1 September 2005, lawyer Ram Jethmalani told Onelines newspaper, "*The effect of this decision is to authorise the police to practice third-degree methods of investigation and turn police stations into torture chambers.*"

These events are not new or unique to India if we take into account the numerous reports by international human rights organisations such as Amnesty International, which wrote in its report of 25.03.1992: "*Torture of suspects has become part of the daily routine of police all over India, a country where hundreds if not thousands of people have been beaten to death by the police in recent years and where women are frequently raped in prison cells. Torture and killings continue because the police know that the chances of being caught by the arm of the law are slim, even if they kill the victims and this truth is made public.*"

During the investigation, there were dozens of cases of people being tortured and beaten until losing consciousness to make them testify against Swami Premananda.

An impressive example is that of Sam Perera, the 28-year-old who was taking care of video and music in the ashram. He recounts how he was almost beaten to death with the purpose of declaring that he made porn films in the ashram. Policemen were making photo collages in front of him, cropping out various images to make collages of Swami Premananda with various women in compromising poses. Sam was tortured into declaring that he had taken those photographs and that they were genuine. Although he was almost beaten to death, he did not sign any statement.

The charge of murdering Ravi, a young Sri Lankan man, emerged two months later. Prosecutors said the young man was in perfect health, although he had spent most of his life in various psychiatric hospitals, diagnosed as suffering from schizophrenia, and taking a large amount of psychotropic drugs. Taken into the ashram at the insistence of his parents, he died in April 2001 of an infection, but four years later, in 2005, the prosecution said that the young man was killed because he had discovered that girls in the ashram were being systematically raped. The judge refused to consider the medical documents or that the witness who gave evidence of the murder was not even in the locality at the time!

Aruljothy was a key witness for the prosecution despite highly contradictory and inconsistent statements she signed between 1994 and 1997. The prosecution claimed that, having been raped in November 1994 by Swami, she was pregnant at the time of the investigation. It was alleged that she had an abortion in January 1995, the foetus being prosecution evidence on the basis of which genetic tests were carried out to establish paternity. All the more shocking is the girl's subsequent statement that she was never pregnant! "*It is an extremely rare thing for a court to be involved in falsifying results*!" Dr Wilson J. Wall, a genetics specialist and court expert in England, said at the end of the trial. Dr. Wall later exposed the Premananda affair as an example of misuse of DNA testing in his book DNA Detectives, published by Robert Hale Ltd London in August 2005.

Called as a witness by the defence, he scientifically demonstrated the fraud used by the prosecution, which falsified DNA test results

to prove "rape" without even complying with international forensic standards. For example, the records of the experiments, an essential element guaranteeing the correctness of the analyses carried out by Dr Singh (the prosecution's expert), were illegible.

What did the Court have to say about this? That these strict rules on registration of experiments are only mandatory for private laboratories, which could (being private) falsify or alter the results, but "*these strict rules are not applicable in India because the only institute that does DNA analysis for forensic purposes belongs to the government*". The conclusion of the counter-examination carried out in England with very precise techniques is irrefutable. In genetics terms, this is called "exclusion". "*When I say that the defendant is not involved in the conception of this foetus*," says Dr Wall, "*what I mean is that there is not even a remote possibility, not even an infinitesimal probability, that he is the father.*" Because the reports of the two experts are so different, Dr Wall proposed a third expert opinion. However, the court did not grant this request. The Court finally stated, "*Defence witness No. 49, Dr Wall, subpoenaed and paid by the defence, is strongly biased in favour of the defendant and consequently both his testimony and expert report D89 must be rejected.*"

Westerners, such as Swami Premananda's disciples Renee and Xavier van Bambeke, who came to India to testify, were shocked by the way the trial was conducted and immediately reported it. Although they were making certain statements, the judge interpreted their statements exactly the opposite and asked the clerk to write down things they had never stated. More than 60 defence testimonies were rejected on the grounds that they were "*in favour of the defence*", but the use of inhumane torture procedures to obtain evidence for the prosecution was accepted! The police, the perpetrators of the crimes, instead of being convicted, are congratulated and promoted. The honour of Indian justice is forever tarnished, says lawyer Ram Jethmalani.

Three times, the same travesty is repeated. After the first trial concluded in 1997 at Puddukkotai, an appeal followed to the Chennai

High Court, which ended in 2002 (with the sentence upheld) and then a second appeal to the Supreme Court on 5 April 2005.

What did Swami Premananda say? *"Let it not disturb you that those who oppose true dharma are trying to destroy the works and ashrams of spiritual guides. You must trust your spiritual guide, knowing that he or she is genuine or authentic and pure. Many beings are frightened by spirituality. They are afraid to open their consciousness and soul to the truth and want to destroy everything they do not understand. They organise campaigns and plots against spiritual guides to destroy their work. This has been happening throughout history. So, don't worry, spiritual guides have always had to face trials and difficulties in all ages. Rama was sent to the forest for 14 years, but this has a profound significance. Krishna was born in prison because of the wickedness of King Kamsa. The ignorants imprisoned him, tormented him, and condemned Jesus to die on the cross. Mahatma Gandhi spent several periods of time in prison, yet continued his work. Sri Aurobindo reached the state of spiritual enlightenment in prison. There will always be beings who want to destroy the work of spiritual guides either out of jealousy or lack of understanding. So, don't let them destroy your faith."* A Westerner asked Swami: *"In some European countries, there is official opposition to genuine spiritual guides. Why would intelligent beings oppose spiritual guides?"* Premananda replied, *"Let us not attach too much importance to these matters. In this world, when we say that there is God, problems begin to arise. People oppose us by saying that God does not exist. If you say that a saint lives in a certain place, someone will say no, that is not true. This is because the word guru, in particular, generates a lot of misunderstanding. Some leaders of groups and different organisations feel fear. Especially people in high positions in religious organisations often feel they have to protect their interests, status, power, and business. That's why they don't like saints, sages or new spiritual schools gaining ground. They want money, material rewards and power. They are afraid of losing them, and that is why they oppose others and criticise them publicly. Don't take these things too seriously.*

*Continue your spiritual practice and be sincere, honest and genuine.*"

Although Swami Premananda knew well in advance what was going to happen, he did nothing to prevent these events. More than six months before his arrest, he spoke of a Judas living in the ashram. Even before that, passing in front of Trichy prison, he had stated, surprising everyone, that one day there would be an ashram in that place. The aspirants who followed him tell of a foreboding event that was not understood by them at that time. In May 1987, an old monk from Gujarat, on seeing Swami Premananda arrive at the temple, threw himself at his feet, saying: "*Oh God! Why have you come now? People are not ready for you, they will not understand.*" And lo and behold, people did not understand Swami Premananda. They slandered him, accused him of terrible crimes and threw him in jail. But as he said: "*I never think badly. Even though the whole world is after me and all the press criticises me, I continue to be happy.*

*The obstacles count very little; may truth and purity dispel ignorance, and all beings reach enlightenment through the grace of Godly Reality. I pray for you all, and I bestow upon you every moment all the love of my heart. I am always here for all of you. Think of those who have less chances than you. Think about those who are hungry, think about the poor, about the thousands of innocent people imprisoned without a reason. We must do something good for them in this life if we can and not just think about our own spiritual elevation.*"

## Falun Gong - a spiritual school persecuted and decimated in communist China

> *No democracy can exist unless each of its citizens is as capable of outrage at injustice to another as he is of outrage at injustice to himself.*" – Aristotle

Li Hongzhi founded Falun Gong, also known as Falun Dafa, in China, in 1992. For seven years, the school he started, which combines meditation, some Qi Gong exercises, and a moral code, enjoyed great popularity. The Chinese Qi Gong Association, which is controlled by the Chinese government, had formally organised Li Hongzhi's lectures. The school participated in various exhibitions and received numerous government research awards for "outstanding contributions to improving the physical and mental health of the people". Large groups of people could often be seen practising Qi Gong in the open air in public parks.

A statistical survey by the Chinese government in 1999 estimated that the number of practitioners had reached about 100 million, far more than the number of members in the Chinese Communist Party, which had only 60 million members. The government thus began to see the great popularity the system had gained as a threat to political power. Practitioners began to be persecuted. At first, they are not given permits for their places of practice, and then they are fined and investigated for no reason. Slanderous campaigns continue in the state-controlled press, and some books printed by the school's mentor are banned.

In July 1999, the organisation is officially banned by the Chinese government on the grounds that it is a dangerous, illegal, and anti-government organisation. On that occasion, Li Hongzhi said in defence of Falun Gong: "*We will not oppose the government. Neither now nor in the future. Others can mistreat us, but we will not mistreat anyone. We cannot consider one person as our enemy*". Time and time again, his students have proved that this is the case despite the extremely harsh treatment they have been subjected to. They have

always taken a non-violent but dignified and courageous attitude, seeking to show both the government and the whole world that they are innocent.

For six months, the propaganda against Falun Gong occupied almost four hours of the daily TV schedule, genuine brainwashing on a national scale, aiming at inciting the population against the practitioners. All the countries of the world received, through their embassies, anti-Falun Gong propaganda documents full of false accusations.

Falun Gong was said to be responsible for the deaths of 1400 people, citing as reasons that the practitioners refused medical treatment in the name of their beliefs or because they didn't want to accumulate material goods and money. Other causes cited included suicides and mental illness. Falun Gong was said to organise illegal meetings and represent a threat to the political stability of the country through " *forced occupation of public gardens*". Falun Gong practitioners were said to obstruct normal religious activities, illegally publish and spread books and divulge state secrets in collaboration with the US, an aspect motivated by the fact that the American associations for protecting human rights defended Falun Gong. None of these accusations is part of the Falun Gong teaching system, as shown by a report made by Amnesty International in March 2000.

There was growing speculation that Falun Gong had become more a personal fight of President Jiang Zemin, who reportedly had many disputes with the members of his cabinet as a result. In fact, his totalitarian behaviour regarding religious practices is well known. For example, the same president has banned Christian churches in China, and the importing of a Bible can lead to years in prison. In China, Christian churches are labelled as "evil sects". The reason is the same: these churches don't allow themselves to be controlled by the state and corrupted by atheist practices. The same treatment was also applied to the representatives of environmental protection organisations, whose members are punished for their activities by sending them to labour camps.

But in regard to Falun Gong practitioners, the measures taken against them are beyond imagination. For example, in all prisons, police stations and forced labour camps in China, the following order was given: "*Cases of torture to death of Falun Gong practitioners will not be punished by law. The cases of practitioners who die as a consequence of torture will be recorded as suicides. There is no need to identify the bodies, they will be incinerated.*" Scenes reminiscent of the Nazi times or the Inquisition could be seen on China's streets: large piles of school books were burned or crushed by bulldozers. The Falun Gong practitioners were fired from their jobs, they were evicted from their state-rented homes and thrown in jail only for practicing a system of improving the moral quality and health. The torture methods are reminiscent of the Medieval times: burnt with red-hot irons and lit cigarettes, electric shocks with special rods charged with 3-10 thousand Volts, disfigurations with pliers, sleep deprivation for extremely long periods of time, abusive confinement in psychiatric hospitals and forced administration of substances, working until exhaustion, sexual abuse of women, beatings, starvation, etc. Many of those arrested are not prosecuted. Between a beating and a torture session, the practitioners are constantly subjected to "re-education" by being forced to watch propaganda material that criticises the practice and distorts the teachings of the school. All this is done "for the good of the people". The authorities try to force those arrested to sign statements denouncing the school and its practices.

In December 1999, a report issued by Amnesty International estimated that 450 Falun Gong practitioners were put in prison, 600 were abusively hospitalised in psychiatric hospitals, and 2000 were abusively placed in forced labour camps. Since 2001, the number of people tortured to death has risen dramatically to more than 1600 people. These numbers are just a small fraction of what has actually happened in China, as all news about Falun Gong comes from the Xinhua news agency and is completely distorted. Additionally, the verification of this data by any independent organisation was never allowed, and any external investigation was stopped for "meddling in China's internal affairs."

Things didn't stop here. Because human rights organisations started to ask questions, the Chinese government had to somehow justify its actions. Finding no real reason for the abuses, they fabricated a pretext which, through the diabolical way it was constructed, should not have failed. All the world's television stations presented in January 2001 the shocking self-burning of five people presented as Falun Gong practitioners. An important detail necessary to be mentioned is the fact that, just as it was proven on numerous occasions, the Falun Gong practitioners respect a very high moral code, both in their private lives and in society.

Moreover, the practice's principles forbid categorically the actions that are a threat to any form of life. Suicide, in particular, is considered an absolutely unacceptable act and against the principles of Falun Gong practices. Although the Chinese government refused an objective and independent investigation of this incident, the video material filmed during the incident and broadcast by the Chinese television station in a diabolical attempt to demonstrate to the whole world what abominable actions the members of the "sect" are doing, has plenty of evidence that everything was set up by the Chinese government. It is unknown who filmed the incident, although it was said that it was automatically filmed by video cameras in the public square. The result of this set-up was that the persecution against Falun Gong movement was intensified by the launch of a campaign through which every citizen was forced to sign a statement condemning Falun Gong.

The school's founder, Li Hongzhi, fled to the USA, where he lives in exile with his wife and daughter. In 1999, an arrest warrant was issued in his name, and the Chinese Government went so far as to request Interpol's assistance in apprehending him, as he was presented as an extremely dangerous criminal. Interpol refused to cooperate, arguing that its regulations don't allow interference in political or religious matters. Failing in this stratagem, the Chinese authorities announced officially on the state's broadcasting station that they offer a reward of 50,000 yuan (equivalent to $6,000, an amount equal to the average salary of a Chinese worker for 6 years)

for anyone who provides information that would lead to the arrest of Li Hongzhi. Li Hongzhi is portrayed as an extremely wicked man who "*through deception has damaged the social order and sabotaged the hard-won social stability in China.*" He is accused of setting up an "*illegal organisation that harmfully affects the soul and physical body and uses fraudulent methods.*" There are numerous propaganda articles about him, written in a style that is also known to Romanian journalists. Li is accused of self-proclaiming as the school's leader, inciting the followers to attack the party's publications, affecting the normal social life of the followers by keeping them away from their families and the institutions where they worked, and that the association he leads is "*very well organised and perfectly functional.*"

Li Hongzhi is also portrayed as a charlatan who has profited financially from the followers whom he has persuaded to donate amounts of money, and finally, it is not really known if he is accused of accumulating huge amounts of money from the lectures and books he wrote or from fabulous tax evasion. In the view of the Chinese authorities, the most harmful and dangerous ideas that Li disseminates are that the human spirit is immortal, that a heavenly paradise can be reached, and diseases are punishments from previous lives. Indeed, these teachings are very dangerous for the ignorant and also for the ones who want to control them. We can understand why the Chinese State press resorts to such a communist campaign, but we don't understand why the democratic Western mass media picks up and amplifies this propaganda! Here is what we find on the BBC website in 2001: "*Li is a former trumpet player who is self-proclaimed as the living Buddha*". "*The Falun Dafa practitioners are brainwashed*", *etc.*

A brutal campaign to eliminate Falun Dafa followed, which was reminiscent of Mao's Great Cultural Revolution. For some years, tens of thousands of followers came to Beijing every week to convince the government that their exercises and meditations are not a threat to national security and Falun Gong is not an evil sect. After the first massive detentions, they found that those who declared their identity were sometimes released and allowed to return home. But

their relatives, friends, colleagues, and bosses were fined, threatened, fired, harassed and beaten. In the years following the first arrests, many protesters declined to identify themselves, thinking they were protecting their families from harassment. They were no longer registered in official police records. They were no longer recorded in the forced labour camps or prisons. Their families didn't know where they are detained or whether they are alive or dead. The number of missing people is huge.

The Falun Gong persecutions unfolded on a gigantic scale. Between 2000-2005 the Chinese government used a quarter of its financial resources to target this spiritual group. An official from the Liaoning Province Justice Department proudly declared in a meeting that took place in the Masanjia forced labour camp: "*The funds used to annihilate Falun Gong exceeded the expenditure allocated for a war.*"

The crackdown ordered by President Jiang Zemin relies on the 610 Bureau, with absolute power over every level of the party's administration and over all other political and judicial systems. The superstructure, specially established for destroying the Falun Gong movement, was given a mandate to attack every province, city, region, university, or governmental department. The Chinese Gestapo did not disappoint its parent. In the first 5 years of repression alone, around 6,000 people were sentenced to over 18 years in prison. The Report of the US State Department on China from 2005 mentions that there are approximately 400 detention centres dealing with the "re-education" of over 100,000 people, often sentenced without trial. The obsessive viewing of the conversion movies, the exhausting 18-20 hours of work, sleep deprivation for long periods of time, being forced to write statements of repentance and to repeat humiliating self-incriminations, to recite dirty phrases about Falun Gong and its leaders. These are just a few of the techniques used to extract the signature from the prisoner for a pledge of renunciation of the movement's values, the pledge that they will never practice Falun Gong again and that they will denounce their acquaintances. This is what red propaganda calls "transformation." Since November 2003,

the Chinese population has been subjected to a draconian censorship and surveillance program. This Big Brother-type program, which is called The Golden Shield Project, has a gigantic database and collects data for facial and voice recognition, records phone calls, monitors bank and smart card transactions, etc. Also, TV programs are blacked out, and internet usage is strictly limited. Hundreds of millions of Chinese people, therefore, live completely isolated from the rest of the world. Of course, Western IT companies like CISCO and Nortel have played a major role in this huge surveillance and control programme. Censorship applications on search engines such as Google or navigation websites such as Mozilla work with their approval.

The example of Ouyang, a 35-year-old electronics engineer arrested for being a Falun Gong practitioner, is shocking. He left the prison and was sent to brainwashing sessions. He was forced to stay in front of a wall for nine days. If he was moving, he was electrocuted. If he collapsed due to fatigue, he was electrocuted. Every morning, he had 5 minutes to eat and use the bathroom. "*If I didn't do it, I would wet my pants, and they would electrocute me for this also. I couldn't see properly anymore because I was continuously looking at the wall in front of me, 5 cm away.*"

Three weeks of discussions about Falun Gong followed for sixteen hours a day. "*The pressure put upon me was and is incredible.*" "

The same US State Department report estimates the number of Falun Gong practitioners who died in arrests and camps from several hundred to several thousand. At the end of March 2005, the information mentions - 3010 testimonies of the families of practitioners who died following torture, 3010 files documented in detail. The experts estimate that the actual number of murders committed by the Chinese Communist regime against the Falun Gong followers is at least five times higher.

In 2000, the UN warned that over 66% of the victims of torture and ill-treatment in China are Falun Gong followers. Li Baigen, the deputy director of the Municipal Bureau of Planning in Beijing, attended a meeting in 1999 organised by the three people who run

Bureau 610. 3000 state employees were invited to the Great People's Hall in the capital, to discuss the campaign against Falun Gong, which disgruntled Communist officials said should be stepped up. Although arrests had been made, peaceful protests continued around the city. Li Lanqing, the Chief of Bureau 610, announced a new governmental policy related to the movement; "*Denigration of reputation, financial ruin and physical destruction.*"

After this meeting, the deaths of the practitioners at police hands started to be recorded as suicides. Millions of books and videotapes were burned and destroyed in public. In China, access to all the internet pages related to Falun Gong was blocked and jammed. Those who succeed in sending accounts abroad of beatings and abuses endured in detention are arrested and sentenced to prison for "*divulging state secrets*". The practitioners have no right to a lawyer and are sentenced in staged trials. Tens of thousands of people are sent to forced labour camps without any trial.

Zhang Fuzhen, almost 38 years old, was working in the Xianhe Park, in Pingdu city, Shandong province, and travelled to Beijing in 2000 to support the protest of Falun Gong members. As a consequence, she was kidnapped by the authorities and, according to those in the know, was tortured, and humiliated by police. Her head was shaved, and she was stripped completely naked. She was tied to a bed with her arms and legs outstretched. Later, the police injected her with an unknown substance, which provoked such intense pain that it subsequently almost drove her insane. She tossed and turned in bed in great pain until she died. During this trial, employees of Bureau 610 were present as witnesses.

Cases such as the one of Zhang Fuzhen had become common. Hundreds of thousands of people from all walks of life have been practically thrown behind bars - together with common criminals - for a so-called "re-education", when, in fact, they didn't commit any crime. In only a few years since the beginning of the extermination campaign, the UN had already documented tens of thousands of very serious cases of torture. "*The reports describe horrific scenes in which the detainees, many of whom are Falun Gong followers, die as*

*a result of mistreatment, negligence, or inadequate medical care. The cruelty and brutality of these acts of torture defy any description.*" said Asma Jahangir, UN Special Rapporteur, in December 2003. In addition to the financial and human costs of the campaign, the Communist Party has dealt a huge blow to the morality of Chinese society. Officials who actively participated in the killing and torture of Falun Dafa practitioners were promoted, and family members of the victims were forced to turn against each other. Meanwhile, those who refused to cooperate or were against the campaign were themselves persecuted. Lawyers and honest government officials were not spared this treatment either.

At first, the authorities in the countries where the Falun Gong practitioners protested didn't believe it. The public opinion didn't believe it. People reacted just as they did to the first disclosures of UFOs, with the suspicion of someone who believes they are being tricked. Nor did the Chinese people believe such a thing is possible. Publications from the free world, websites, and reports by human rights activists have images and testimonies that show that these are serious matters. The examples are shocking. Wang Haiyan lost an eye during a beating. In the photograph that proves his ordeal, he smiles meekly. Another young woman is covered in enormous bruises. The reports quoting her story protect her identity. The girl was caught while she was putting up posters of the movement. She was trampled upon and raped in the street by a policeman who scattered the bystanders, telling them: "*She is an enemy of the revolution, a Falun Gong practitioner! It doesn't matter if she is lynched!*"

He smashed her teeth, beat her until she almost fainted, and in the end, before abandoning her on the blood-spattered pavement, he humiliated her by shoving his baton into her vagina. Gao Rongrong was an accountant at the Art School in Shenyang, which fired her as soon as the Falun Gong persecution started. The young girl who could have easily won the Miss Universe contest was disfigured. The torturers cut off her long hair and burned her cheeks with electric rods. According to the accounts of some fellow prisoners, the ordeal

lasted for seven hours. When she arrived at the hospital, her hair was matted with blood and pus and her face was covered in blisters. She had multiple fractures because she jumped from a second-floor room to escape the torturers. I'm looking at two photos: one before and the other after the torture. In the final photo, her face, covered in deep burns, is unrecognisable. The beautiful Gao dies two years later after more months of captivity, in which the tortures continue. Her family gets to see her in her last days of her life.

Gao often lost consciousness and was breathing connected to a machine. Her muscles were atrophied, and she was literally only skin and bones. Zhao Weidong was asked to give up the Falun Dafa practice. He didn't comply. He was put in the middle of a circle of guards who mocked his belief. He was not allowed to sleep. They bound him in a squatting position. Some prisoners were assigned to watching him in turns. He was not allowed to sleep for even a minute for 26 days and nights. If he was falling asleep or falling down, he was brutally beaten. He had to keep his eyes open. They beat him many times a day. When the torture stopped, Zhao Weidong could no longer keep his balance standing or sitting. He was collapsing dozens, hundreds of times a day. A cellmate timed one minute. Zhao collapsed seven times. His forehead was full of enormous bumps, his head ached continuously, and he tried to wash his hands in a stream of water that seemed to gush up from the floor. "*If you don't turn, you are a dead man*," a guard in charge of re-education told Zhao. The prisoners continued to beat him. One day, they did it so hard that Zhao stopped moving. For several months, he was confined to his bed, unconscious.

According to some practitioners whose testimonies are available on the *clearwisdom website*, in the Masanjia forced labour camp, hundreds of torture methods are used against Falun Gong practitioners. But the evil imagination of the guards in China knows no bounds. The prisoner is immobilised on the bed, with his arms and legs stretched apart in shackles. For days, weeks or months on end, he is left on a dirty mattress filled with urine and excrement. He is locked in a very small cage, where he crouches, unable to move,

sitting directly on the cement. Or kept for weeks in a cage half-filled with cold, dirty water. Under a cot, tied up tightly with his hands pressed to his body and his trunk pressed to his stretched legs. Tied up in the foetal position and pinned under a chair. An iron bucket is placed on his head, like a big hat, the brims covering his entire face.

The guards hit the bucket with metal rods until the prisoner feels his head is exploding. After hours of torture, the torturers throw cold water upon the victim. Then boiling water. Then again, cold water. Or they drag him out in the snow without clothes. They put him in ice pits, where he is kept until he loses consciousness. Other times, his legs are stretched over the sides of a metal bed, and his body is left hanging upside down in the air. The hands are tied behind the back. The blood pressure increases, and the face swells up very badly. Within minutes, the Falun Gong practitioner can hardly breathe. He gets dizzy very quickly. The warden Wang tortured Zhang Xiuling in this way and ordered his collaborators, those who could not resist the torture, and had renounced the spiritual path and became cell torturers, to hit him on the head. The former Falun Gong practitioners did it until Zhang Xiuling's eyes were ready to pop out of their sockets, bruised, swollen. During the hours-long beatings, they burned his cheeks with lit papers in flames.

The teacher Wang Jinguo was tortured for 200 days continuously. He was beaten up badly. He had internal bleeding, vomited blood, and could not stand up. The authorities sent him home after charging his relatives 2000 yuan, the equivalent of four average salaries. The teacher Wang Jinguo left this physical world in Spring 2001. Here is his last wish shared with his family: "*If I die, it will be only due to their tortures and abuses. But no matter what, if there is still a slightest chance for them to return to goodness, you must do everything possible for them to come back to goodness, including those who participated in my persecution.*"

Unlike other forms of Qi gong, which mainly aim at health and fitness, Falun Dafa's ultimate goal is enlightenment, the attainment of supreme wisdom. At the heart of the practice are the principles of Truthfulness, Goodness and Tolerance, which practitioners are eager

to manifest in every life situation. Falun Gong founder Li Hongzhi comments in his books, which practitioners study assiduously: "*For a cultivator, all the frustrations he encounters among ordinary people are tests, and all the compliments he receives are tests. Tolerance (ren) is the key to improving xinxing. To endure with anger, pain or tears is the tolerance of an ordinary person, attached to his worries. To endure without anger or pain is the tolerance of a cultivator.*"

Amnesty International describes in its reports three strategies that the Chinese government used to destroy Falun Gong: violence against the practitioners who refuse to renounce their beliefs, brainwashing to force followers to renounce the movement through a written statement, and a violent media campaign aimed at inciting hatred against this spiritual movement. An incomplete statistic shows that in just half a year, more than 300,000 articles, news stories, and programmes that defamed Falun Gong were published and broadcast. Articles, TV shows, testimonies from former followers who appeared overnight to complain about the alleged treacheries and abuses they had encountered from the movement or its spiritual mentor Li, accusations that the practitioners refuse any kind of medical treatment, are mutilating and killing their family members appeared. The most famous manipulation is the so-called incident of 23 January 2001, when five people the government claims are Falun Gong practitioners, including a 12-year-old girl and her mother, allegedly set themselves on fire in Tian An Men Square. The state mass media obsessively broadcast the unbearable images of the burning child, and the broadcasts blame the group. The propaganda achieves its goal. Chinese public opinion was appalled and turned against the movement with a vengeance.

Shortly afterwards, the persecution began, and the Chinese Communist Party found its prisons filled to overflowing with Falun Dafa adherents, the vast majority of whom had no intention of giving up the practice that had transformed their lives for the better. The problem of overpopulation was thus becoming increasingly pressing and generating huge costs. But the Party quickly found the "saving" solution: "harnessing" Falun Dafa practitioners in a completely

different way and putting them into forced labour. Namely, by selling them. Not as slaves, not alive, but in "pieces". This is how the foundations were laid for a macabre industry of an astonishing scale, unparalleled in the history of humanity: large-scale forced organ harvesting, which was coordinated by the state. A genuine medical genocide followed, which generated fabulous financial profits, and the organ transplant market in China grew to a scale that worried the international community. This murderous machine functioned in the following way: Immediately after their detention in prisons and camps, the Falun Dafa practitioners were subjected to detailed medical tests and the resulting information was then entered into a database. Practically, China created a genuine "bank of living organs" as the experts remarked later. When the buyer appeared, the compatible "donors" were forcefully taken to the operating table, where many of them met their end. In other words, the foundations were laid for a state system that killed its citizens for profit. The demand was constant and massive since waiting times for a compatible organ had extended to weeks, while in civilised countries, patients were on waiting lists even for years. As the prisons were full of "merchandise", this macabre industry grew to an unprecedented scale. Transplant centres were founded one after another all over Chinese territory. Many "clients" came from abroad, thus becoming willing or unwilling accomplices in these crimes. A new kind of tourism was founded, which was unheard of in the entire world: transplant tourism "*If you are going to China to get a liver transplant, during the three weeks you are going to be there, it means that someone needs to order an execution. They will need to find a healthy prisoner, with the right blood and tissue type and with the suitable size of the liver, and the prisoner will have to be ready for the "extraction" before the tourist who came for the transplant leaves*," as it is written in the book "*State Organs: Transplant Abuse in China.*" *written by David Matas and* Torsten Tray.

Shocking testimonies have emerged: there are centres and hospitals where they harvest live organs from Falun Gong disciples for transplants that bring huge amounts of foreign currency to the

national economy. After extraction, the physical bodies emptied of the heart, liver, kidneys, cornea, and skin are thrown in crematoria and burned. Sometimes, they are still breathing. China was now not only the greatest concentration camp in the world but an immense abattoir where human beings are butchered in cold blood. In the party's name, in the name of ideological purity.

David Matas, a renowned international human rights lawyer, and Canadian David Kilgour, a former MP and Secretary of State, produced a shocking report in September 2006. The Kilgour-Matas report claims that between 2001 and 2005 alone, there were more than 41,000 transplants for which the authorities could not pinpoint a source. "*Such patients hope to receive an organ from a criminal or from a condemned rapist - but it must be known that in China, there are 68 crimes for which you can be executed, and these include tax fraud. In fact, the organ is most likely to come from a young spiritual prisoner of conscience, a follower of Falun Gong.*" Interviews with witnesses and phone records with doctors from many parts of China confirm these grimmest allegations - there is a thriving trade in death in the communist empire. Kilgour interviewed a Westerner who received a kidney. He was offered eight different organs in ten days. Each day, a fresh one was offered to him. The average time for finding a kidney in the US is almost two years, and some wait for seven years or more. In China, there are hospitals where the investigators received the answer that they will wait "*probably for a couple of days*". This would be impossible without having a lot of people ready to be killed at any time. The military doctor who operated on the patient quoted in the report calmly stated that the organs came from Falun Dafa practitioners. A lot of doctors responded in kind to investigators who called, posing as people interested in transplants. "*Falun Gong members are selected for killing like lobsters*," Kilgour concludes.

Things are happening under the patronage of the government in collaboration with the military and medical professionals. In 2006, a Chinese doctor in Shenyang, speaking on condition of anonymity, revealed that forced organ harvesting in China is organised by

the state with the help of the military. The doctor, now a refugee, together with his wife, was the first to expose the phenomenon of organ harvesting from living people. For example, between 2001 and 2003, the surgeon revealed that he had removed corneas from around 2,000 Falun Gong practitioners. Their internal organs were also removed, after which their physical bodies were cremated. The doctor confirmed the existence of at least 36 concentration camps in China. His wife offered nightmarish details: "*At the beginning of 2001, my husband was assigned to secretly extract corneas from Falun Gong practitioners. In the beginning, he hid this from me, but in time, I felt that he was very tormented; he often had nightmares and was always tense. After my repeated questions, he told me the truth.*" That was in 2003.

"*He knew they were Falun Gong practitioners. Every doctor who attended the surgeries, which they ended up doing them together in the same room, knew this. They were told that eliminating Falun Gong practitioners was not a crime, just assistance given to the Communist Party to clean up. Those who ended up on the operating table were anaesthetised. Generally, the elderly and children were used for harvesting cornea. At the time he told me everything, my husband could no longer bear the torment of doing such terrible things and had decided to leave China so he could escape the fear. He told me, "You can't understand my despair. The Falun Gong practitioners were still alive. It was completely different when I was extracting organs from the deceased. But they, they were alive!*"

For their study "*Bloody Harvest: The Killing of Falun Gong for their Organs*", David Matas and David Kilgour were nominated for the Nobel Peace Prize in 2010. Initially, they focused not only on the persecution of Falun Gong members but also on missing persons cases, those found dead on the street with missing organs. They talked to foreign patients who had received a liver or kidney transplant in China and even interviewed former accomplices in organ harvesting. Claiming to be relatives or even potential organ recipients, the two obtained compelling evidence of organ trafficking and "ordered" killings for-profit, which took place in the People's Republic of China. According

to Kilgour-Matas's report released in 2006, "The origin of 41,500 transplants between 2000-2005 is unexplained, and we strongly believe that the number of such cases grows every year, mainly at the expense of Falun Gong practitioners."

In 2009, Kilgour and Matas published an updated version of the report and travelled to more than 50 countries to bring this tragic situation to the attention of people around the world.

In 2012, a new study, "*State Organs: Transplant Abuse in China*", revealed the research of surgeons, professors, and lawyers, including David Matas, who claimed that between 2000-2008, approximately 65,000 Falun Gong practitioners were killed for organ harvesting. Many investigators who have managed to infiltrate this mafia have discovered the same thing: that the source of human organs obtained by hospitals since 2000 comes from persecuted Falun Gong practitioners.

In an investigation by the World Organization to Investigate the Persecution of Falun Gong, spokesman Wang Zhiyuan presents a telephone recording between a representative of the organisation and the former health minister of the General Logistics Department of the Chinese People's Liberation Army, Bai Shizhong. In this call, Bai made several allegations about the persecution of Falun Gong practitioners, confirming the heinous crimes that have been going on for years. In this entrapment conversation recorded by the organisation's investigative group, Bai Shizhong's interlocutor pretended to be a high-ranking official, using leaked inside information to confirm his alleged identity.

Subsequently, Wang applied on behalf of the World Organization to Investigate the Persecution of Falun Gong, which he represents, for a court order listing the phone calls from the office of Bai Shizhong in order to demonstrate the authenticity of the phone conversations recorded by the organisation. Such a confirmation would have had great significance in the fight against the persecution of millions of innocent people, but his application was unsuccessful. Interestingly, neither Bai Shizhong nor other political figures have said anything about these accusations.

The World Organization to Investigate the Persecution of Falun Gong revealed a series of medical research documents and data published on Chinese hospital websites in 2014. According to the organisation's report, which exposes just the tip of this mafia network of organ trafficking, 160,000 organ transplants took place in more than 800 hospitals in China. For example, Changzhen Hospital in Shanghai reported 4,230 organ transplants performed by the end of 2013. Another hospital in Qinhuamgdao performed between six and nine liver transplants simultaneously 28 times by 2007. Li Xiangtie, a surgeon and director of the Department of Urology at Jinan Military Region General Hospital, set a record of 16 kidney transplants in 24 hours. In the Tianjin Orient Organ Transplant Centre alone, one of the 400 hospitals performing such operations in China, the number of transplants is far higher than the total number of organs that could have come from executions nationwide, says Dr Jianmei Yu from the Iomai Sua Corporation. How is it possible that 3,000 liver transplants took place in a single hospital in 2003 alone, when in seven years, between 1991-1998, only 78 liver transplants took place?

Falun Gong prisoners are held in camps and undergo regular medical examinations. They are kept alive until the applicants who match them in terms of blood type, antibodies, etc., appear. Then, they are sacrificed. The operations are carried out in secret, in specially set up hospitals alongside labour camps and prisons. Their kidneys, liver, heart, cornea, skin, and trachea are removed. The organs are sold by the hospitals at exorbitant prices in complicity with an entire state system. "*Most victims were convicted for nothing. They were killed by doctors for their vital organs*," Kilgour points out. Of course, the hospitals involved in organ harvesting and transplantation were making huge profits. After the publication of this report by the World Organization to Investigate the Persecution of Falun Gong, all the hospital websites in China almost halved the numbers listed as successful organ transplant operations. At the beginning of the crackdown on Falun Gong, former President Jiang Zemin was convinced that he would destroy the movement within three months. Twenty-two years have passed. Old followers have resisted

pressure, demonisation, detention and brainwashing. Millions of new followers emerged. The Communist Party underestimated the power of this school, the power of tradition and faith.

An independent report published on this topic in June 2016 revealed a chilling reality: specialised hospitals in China have generated around 1.5 million transplants in the last 16 years. "*The Chinese regime has engaged in the mass murder of innocent people*," said one of the authors of the investigation, David Matas, who called China's "*medical genocide*" "*a terrible form of evil without precedent on this planet*". There is also a documentary on the subject available to watch called "*Medical Genocide: Hidden Mass Murder in China's Organ Transplant Industry*".

Despite the relentless brutality of the state authority machine, Falun Dafa has not disappeared. On the contrary, it has expanded beyond China's borders and is now practiced in more than 110 countries by approximately 100 million people. Falun Dafa had received thousands of awards and honours, including in China before the persecution began, and its founder was nominated for the Nobel Peace Prize five times between 2000-2012 for his contribution to humanity through the sound principles and benefits of the practice. Moreover, Falun Dafa practitioners everywhere have responded with a non-violent defence of human dignity in China and have taken on the role of encouraging people to see through the lies and slanderous propaganda, seeking to end the 22-year persecution. According to the global humanitarian group Doctors Against Forced Organ Harvesting (DAFOH), there is no indication in China's current context that this harvesting of organs from prisoners of conscience will stop. Amnesty International has repeatedly called for an end to these abuses by the Chinese authorities.

The West is deeply involved in China's lucrative human organ trafficking business. In a German study, "Herz auf Bestellung" ("Heart on Demand"), author Martina Keller shows how Western pharmaceutical companies and doctors support organ transplants in Chinese centres without question. For example, the Swiss company Sandoz has consistently supplied China with Cyclosporin

A, an essential drug for treating transplant patients. When Roche opened a factory in Shanghai (China), Roche's boss, Franz Humer, said he decided to produce the drug Cellcept (a drug indicated for the prophylaxis of organ rejection and the treatment of refractory organ rejection) in China because, unlike Japan, China has "*no ethics or cultural inhibitions*" against organ transplantation.

The same report shows that at least nine research studies made on approximately 1,200 transplant cases were conducted by the pharmaceutical companies Wyeth and Pfizer of the US, Novartis and Roche of Switzerland, and Astellas in Japan. In conducting these studies, the companies collaborated with 20 hospitals in China.

According to the statements of Huang Jiefu (former minister of Health and director of the China Organ Donation and Transplantation Committee) given to the Liver Transplantation magazine, "*Entire transplant teams from the People's Republic of China*" have benefited from being trained abroad, he himself was trained in Australia.

Democratic governments are complicit in the atrocities committed by the Chinese regime against the unjustly imprisoned prisoners by failing to make clear and firm provisions to stop these inhumane practices. Our democratic leaders accept this form of human exploitation in their relations with China, and even more, they intervene against the Falun Gong practitioners who want to bring to the public's attention this massacre, becoming the accomplices in crimes against humanity. Even though theoretically, the governments of many countries have criticised the inhumane practices of the Chinese regime against Falun Gong practitioners over the years, they have done so for the obvious purpose of gaining sympathy from their citizens. With the exception of some international NGOs and Falun Gong practitioners and supporters, there has never been any real opposition to the Chinese terrorist regime until now. The ongoing fight of some activist NGOs for respect for human rights continues.

## BHAGWAN SRI RAJNEESH

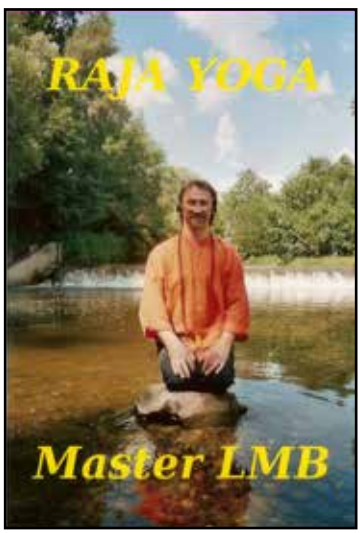
*Osho International Public school*

# ANANDA ASSISI ORGANISATION

*Swami Kriyananda*

# HIMAVANTI SCHOOL, POLAND

*Ryszard Matusyewski, spiritual leader on Himavanti School*



# SWAMI PREMANANDA

# FALUN GONG

Falun Gong

Stop the persecution of Falun Gong
STOP GENOCIDE IN CHINA!

UP TO 1.5 MILLION
KILLED IN CHINA
FOR THEIR ORGANS

# VII. INSTEAD OF CONCLUSION

*The truth is our master, we do not master the truth.* - Mihai Eminescu

I end this book with what, some might say, should have been found at its beginning.

***I dedicate this book to Truth.***

Truth is the essence of all that exists, and it can even be said that Truth is God because God is the source of all existence. Just as fire burns away impurities and refines gold, so the fire of Truth always purifies the being. I have lived many years in fear. To protect my soul, it was necessary to write this book. "*The simple step of a courageous human being is not to take part in the lie. One true word of truth outweighs the World.*" wrote Alexander Solzhenitsyn.

In the end, I offer you some quotes about truth that inspired me on this inner journey.

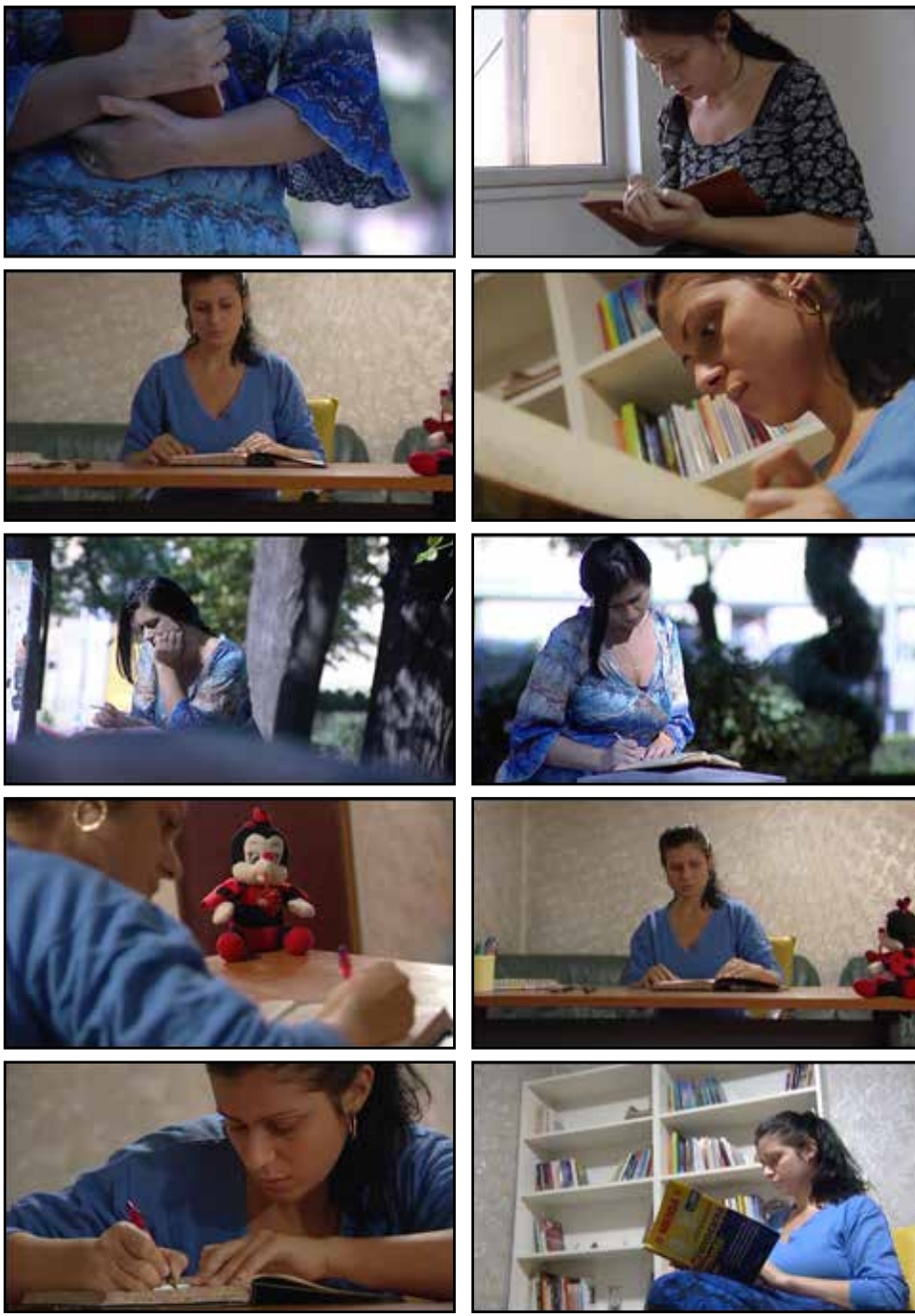
- *You can close your eyes, but you cannot extinguish the sun.* - Nicolae Iorga
- *Truth is the compass of the soul.* - William George Jordan
- *Truth is everywhere, but only the one who seeks it recognises it.* Nicolae Iorga
- *The truth could be likened to a diamond whose lights shine not only on one side but on many sides.* - Goethe
- *Truth, like light, blinds...* - Albert Camus
- *Truth emerges like oil on water.* - Romanian proverb
- *Love for truth has its reward in heaven and even on earth.* - Friederich Nietzsche
- *In a time of universal deceit, telling the truth is a revolutionary act.* - George Orwell
- *He who seeks the truth takes the risk of finding it.* - Isabel Allende
- *Truth is a gem that is found at a great depth.* - Lord Byron
- *Truth is like the dew in the sky: to keep it pure, it is necessary to gather it into a clean vessel.* - Bernardin de Saint-Pierre
- *Truth is the Sun of enlightened consciousness.* - Luc de Clapiers

• *Only one thing is eternally repeated unceasingly without stopping being new and fruitful: truth.* – Henri Lacordaire

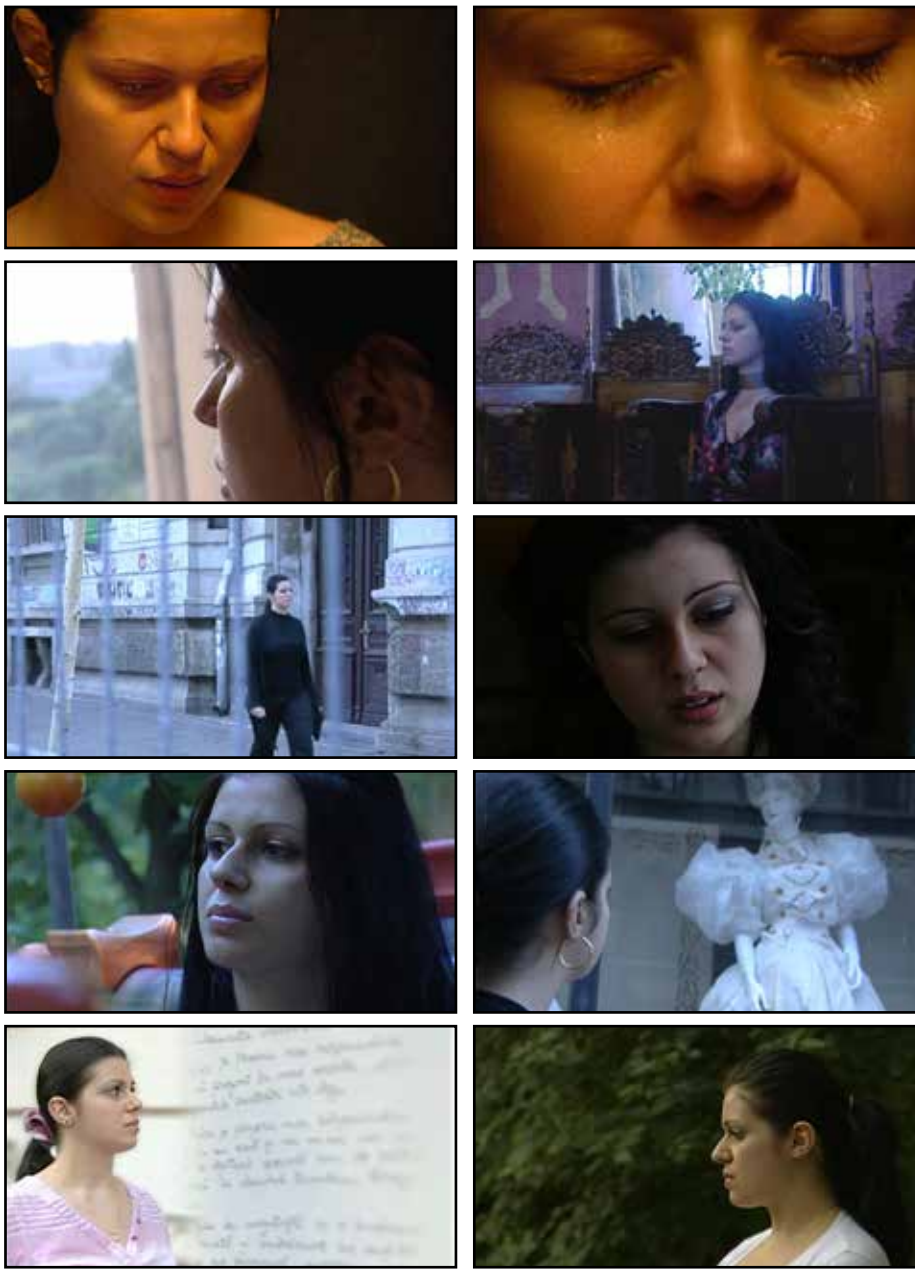
• *Truth is the daughter of time.* – Gellius

• *Blessed are those who hunger and thirst for God's righteousness, for they shall be satisfied.* – Jesus, in the Sermon on the Mount

**UNJUST CONVICTIONS BASED ON THE SHADOW COMMANDS OF JUSTICE BY ORDER!**



*I began to study a lot at some point out of a desire to become a writer and decided to start, by writing a personal journal*

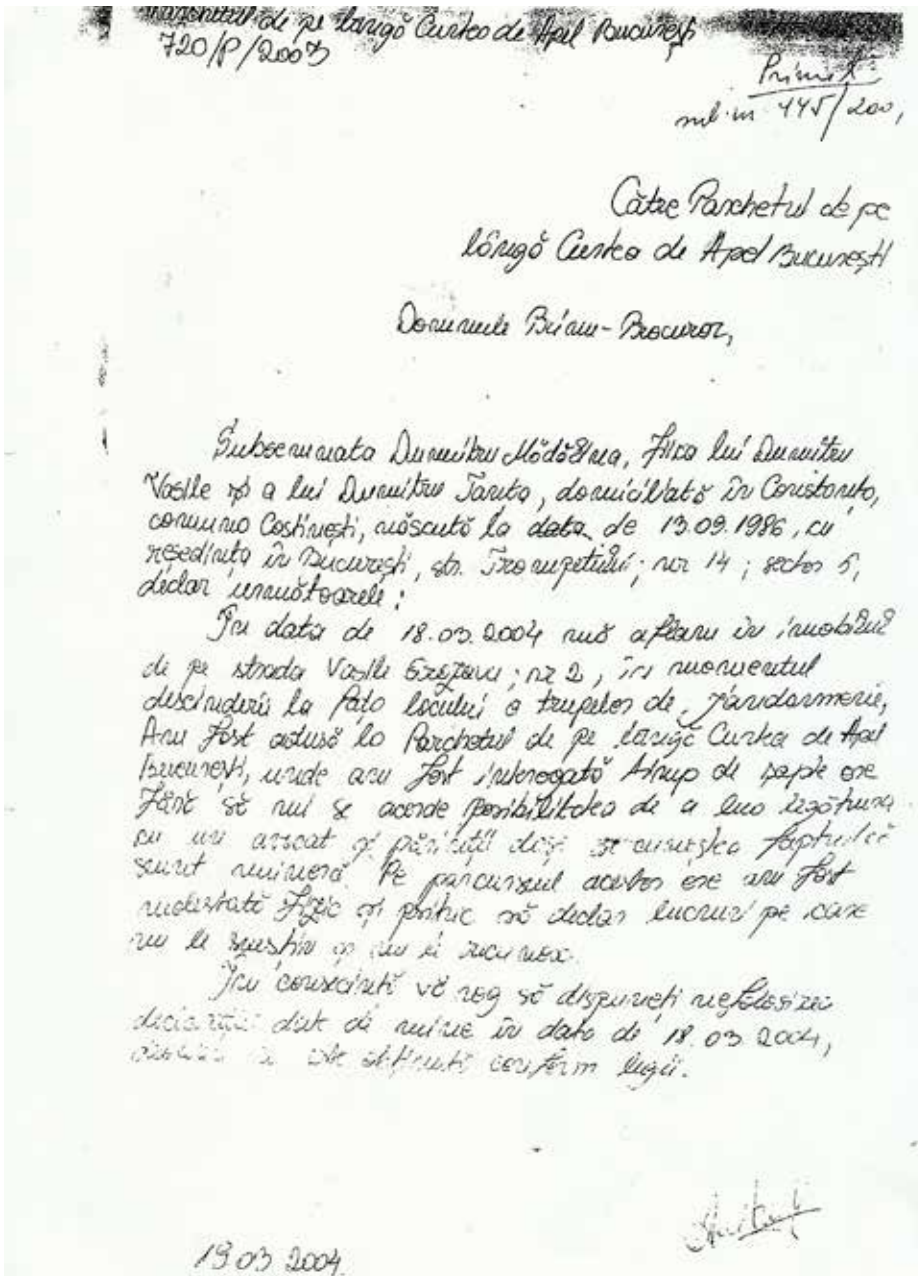


*Snapshots taken on various occasions showing my predominant state of sadness, melancholy and even depressive tendencies, as a result of the dramatic events of 2004 and all that has followed after.*

# ANNEX I

# COMPLAINTS, MEMORIES, REPORTS ADDRESSED TO THE ROMANIAN COURT BY ME AND MY LAWYERS

**Request addressed by me to the Prosecutor's Office to cancel the statement of March 18, 2004, which had been taken under pressure and threat**



Parchetul de pe lângă Curtea de Apel București
720/P/2003

Către Parchetul de pe
lângă Curtea de Apel București

Domnule Procuror,

Subsemnatul Dumitru Mădălina, fiul lui Dumitru Vasile și al lui Dumitru Tanța, domiciliat în Constanța, comuna Cosmești, născut la data de 13.09.1986, cu reședința în București, str. Trei Petrilă, nr. 14, sector 5, declar următoarele:

În data de 18.03.2004 mă aflam în imobilul de pe strada Vasile Grigorescu, nr. 2, în momentul descinderii la fața locului a trupelor de jandarmerie. Am fost adus la Parchetul de pe lângă Curtea de Apel București, unde am fost interogat. Atunci de față se mai a aflat persoana de a cărei declarație am un acuzat și pe baza căreia sunt urmărit. Pe parcursul acestor ore am fost maltratat fizic și psihic de către cei care nu le cunoștea și de care nu mi-au dat.

În consecință vă rog să dispuneți neglijarea declarației dată de mine în data de 18.03.2004, pentru că am fost obligat cu forța legii.

18.03.2004

**The resolution rejecting my request, which was formulated by the Prosecutor General of the Prosecutor's Office, George Bălan**

ROMÂNIA
MINISTERUL PUBLIC
PARCHETUL DE PE LÂNGĂ
CURTEA DE APEL BUCUREŞTI
Nr. 977/VIII-1/2004

*REZOLUTIE*
*29.03.2004*

GEORGE BĂLAN – Procuror General al Parchetului de pe lângă Curtea de Apel Bucureşti.

Verificând plângerea formulată de DUMITRU MĂDĂLINA, domiciliată în Costineşti, str.Gării nr.99, jud.Constanţa, formulată împotriva actelor de urmărire penală efectuate în baza autorizaţiei de percheziţie nr.6304/18 martie 2004 emisă de Tribunalul Municipiului Bucureşti.

CONSTAT:

La data de 18 martie 2004, în baza autorizaţiei de percheziţie emisă de Tribunalul Municipiului Bucureşti, a fost efectuată o percheziţie domiciliară în imobilul din str.Vasile Grozavu nr.2, sector 5, proprietatea numitei DUMITRU IONELA-CRISTINA.

Dumitu Mădălina, aflându-se în imobil în momentul efectuării percheziţiei a reclamat modul violent în care aceasta a fost efectuată, precum şi faptul că printre obiectele ridicate din imobil se aflau şi unele care îi aparţineau.

Arată de asemeni, că nu-şi mai menţine nici declaraţia luată de procuror cu ocazia percheziţiei, întrucât ar fi fost dată sub presiune.

Plângerea formulată de petentă este neîntemeiată, pentru

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- percheziția a fost efectuată legal în baza autorizațiilor nr.63 și 64/16.03.2004 emise de un judecător din cadrul Tribunalului Municipiului București;

- pătrunderea în forță în imobil a fost determinată de faptul că, din informațiile deținute de organele de urmărire penală a rezultat că se va încerca distrugerea probelor (a se vedea procesul-verbal de cercetare la fața locului din data de 18.03.2004 în care s-a constatat că în zona DN Cocea din sectorul 5, mai multe persoane au incendiat obiecte și înscrisuri ce se aflau la unele din locuințele perchiziționate);

- pătrunderea în forță a fost determinată și de constatarea în flagrant a activităților de video-chat neautorizate, lucru confirmat de procesele-verbale de efectuare a percheziției întocmite la alte adrese;

- găsirea unor bunuri (spray paralizant, pistoale cu bilă, cătușe) la domiciliu perchiziționat, ar fi putut constitui mijloace vulnerante de opoziție la efectuarea percheziției;

- bunurile au fost ridicate cu ocazia percheziției pentru identificarea conținutului lor (înscrisuri), a conținutului din suportul magnetic sau a memoriei calculatorului. În momentul efectuării percheziției, procurorul nu a avut posibilitatea să identifice cui aparține fiecare bun, urmând ca ulterior, pe parcursul cercetărilor penale să se facă acest lucru și să se restituie celor în drept bunurile care nu formează obiect „corp delict".

Cu ocazia efectuării percheziției, cât și a semnării procesului verbal întocmit, atât partea cât și martorii asistenți nu au făcut nici un fel de obiecțiuni în legătură cu modul în carea aceasta a fost efectuată și nici în legătură cu obiectele ce s-au ridicat.

Trebuie reținut și faptul că petenta nu are nici o calitate procesuală, aceasta având domiciliul în com.Costinești jud.Constanța și reședința în str.Trompetului nr.14, sector 5 București, iar titularul imobilului în care s-a făcut percheziția este Dumitru Ionela Cristina.

De menționat că petenta Dumitru Mădălina a depus două înscrisuri înregistrate pe rolul Parchetului de pe lângă Curtea de Apel București la datele de 22.03.2004 și 26.03.2004 pe care le-a intitulat „Plângeri împotriva măsurilor luate de către rerprezentantul Parchetului de pe lângă Curtea de Apel București" și respectiv „contra actelor procurorului Nica Andreea", întemeindu-și aceste plângeri în baza art.275 și art.278 C.p.p.

Astfel, se va reține că la data de 18.03.2004 Dumitru Mădălina a fost audiată în calitate de martor, calitate procesuală care nu atrage obligativitatea asistenței juridice, așa-cum este reglementat de art.171-173 C.p.p., cu atât mai mult cu cât aceasta nici când a formulat plângere nu a solicitat să fie asistată de un avocat.

Susținerile petiționarei privind faptul că declarația a fost dată sub presiunea organelor de cercetare și că ar fi fost molestată fizic și psihic nu se poate reține deoarece atât în cadrul declarației olografe cât și a celei pe formular de martor seria C nr.065018 din 18.03.2004, nu s-au ridicat astfel de excepții fiind semnate de petiționară.

De precizat, că la data la care a fost audiată în calitate de martor DUMITRU MĂDĂLINA a fost prezentă la audiere și doamna locotenent Raicu Alina, ofițer psiholog din Batalionul I Special al Jandarmeriei Române, care a întocmit Raportul nr.169795/2004 din care rezultă că nu s-au făcut presiuni de nici un fel și nici nu s-au exercitat violențe fizice asupra minorei Dumitru Mădălina, cu ocazia audierii.

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Mai mult, la solicitarea-acesteia de a i se aduce ceva de mâncare, i s-au pus la dispoziție 3 tipuri de ciocolată și un pahar cu apă.

Astfel, nu se poate reține că declarația luată în data de 18.03.2004, în calitate de martor, reprezintă o încălcare care atrage nulitatea actului, așa cum este prevăzut în art.197 C.p.p.

Plângerea formulată de DUMITRU MĂDĂLINA în care revine generic la declarația dată inițial, nu are o bază legală și nu poate fi considerată o nouă declarație în sensul administrării ca mijloc de probă, așa cum este prevăzut în art.64 C.p.p.

Natura juridică a înscrisului depus este de Plângere contra actelor procurorului, prev.de art.278 C.p., cum de altfel a și intitulat-o.

Urmează ca în cadrul urmăririi penale ce se efectuează să fie apreciată declarația dată în data de 18.03.2004 și în funcție de alte mijloace de probă administrate, iar în cazul în care se apreciază de către organul de urmărire penală că este concludentă și utilă reaudierea numitei DUMITRU MĂDĂLINA, să se ia măsuri în vederea citării și audierii acesteia.

Pentru motivele expuse,

În temeiul disp.art.275 și urm. C.p.p.,

**D I S P U N:**

Respingerea ca neîntemeiată a plângerii formulate de DUMITRU MĂDĂLINA, împotriva actelor de urmărire penală efectuate cu ocazia percheziției din data de 18.03.2004.

Un exemplar din prezenta rezoluție se prezintă domnului procuror CHABORSKI GRIGORE, pentru a fi avută în vedere la soluționarea dosarului penal nr.720/P/2003.

Se va comunica soluția.

PROCUROR GENERAL,

GEORGE BĂLAN

# Criminal complaint filed against the Prosecutor George Bălan

DOMNULE PROCUROR GENERAL,

Subsemnata **DUMITRU MĂDĂLINA**, **cu domiciliul procesual ales în Bucureşti, str. Mihail Sebastian, nr.136, bl.V 90, sc.1, ap.20, sector 5.**

Fiind victima unor grave abuzuri ale procurorilor din cadrul Parchetului de pe lângă Curtea de Apel Bucureşti, la 19.03.2004, am formulat două plangeri în care am descris supliciul la care am fost supusă timp de 14 ore în timpul percheziţiei domiciliare din data de 18.03.2004 de la imobilul din Bucureşti, sector 5, str. Vasile Grozavu nr.2, ***plângeri pe care Procurorul General al Parchetului le-a soluţionat într-un mod total ilegal, prin Rezoluţia Nr. 977/VIII-1/2004, încălcându-mi totodată liberul acces la justiţie.***

Formulez

## *PLÂNGERE PENALĂ*

împotriva procurorului **BĂLAN GEORGE**, pentru săvârşirea infracţiunilor prevăzute şi pedepsite de:

- **art. 261[1] Cod penal**: Împiedicarea participării la proces
- **art. 263, alin 2 Cod penal**: Omisiunea sesizării organelor judiciare
- **art. 246 Cod penal**: Abuz în serviciu contra intereselor persoanelor
- **art. 247 Cod penal**: Abuz în serviciu prin îngrădirea unor drepturi
- **art.248[1] Cod penal**: Abuz în serviciu în formă calificată
- **art. 264 Cod penal**: Favorizarea infractorului
- **art. 289 Cod penal**: Falsul intelectual, cu aplicarea art. 41 pct 2 Cod penal.

În fapt, acestea constau în aceea că, în calitate de Procuror General al Parchetului de pe lângă Curtea de Apel Bucureşti, primind plângerile petentei subsemnate minore, în baza aceleiaşi rezoluţii infracţionale,

- A omis ataşarea, cel puţin a unor copii ale acestora, la Dosarul nr. 720/P/2003, prin aceasta împiedicând includerea datelor conţinute în cuprinsul plângerii în materialul probator şi deci, participarea subsemnatei în calitate de martor la derularea cercetării penale în cauză. Motivarea „rezoluţiei": „faptele atestate în prezentele plângeri nu au o bază legală, neputând fi considerate mijloc de probă".
- A omis să sesizeze de îndată organele judiciare competente conform art. 29 pct.1 lit.f Cod procedură penală, de savârşirea unor infracţiuni în legătură cu serviciul în cadrul căruia îşi îndeplineşte sarcinile.

**DOMNULUI PROCUROR GENERAL AL PARCHETULUI DE PE LÂNGĂ ÎNALTA CURTE DE CASAŢIE ŞI JUSTIŢIE**

- A dat, în mod abuziv, o interpretare greşită a caracterului plângerilor, dovedind, cel puţin, necunoaşterea legii, apreciindu-le ca fiind împotriva actelor procurorului, deşi subsemnata reclamam săvârşirea de infracţiuni şi nu acte, şi şi-a atribuit în mod abuziv soluţionarea acestora, deşi era organ incompetent material, invocând temeiul de drept consemnat de petentă, o elevă de 17 ani.
- A dispus asupra plângerilor prin Rezoluţia Nr. 977/VIII-1/2004, din 29.03.2004, rezoluţie dată: **a)** fără administrarea vreunei probe, deci cu încălcarea art. 202 C.p.p, care arată că ***organul de urmărire penală este obligat să strângă probele necesare pentru aflarea adevărului*** şi **b)** fără motivarea prevăzuta expres în art 203 C.p.p, privitoare la obligaţia inserării temeiului legal al acesteia.
- Aflându-se în exerciţiul abuziv al atribuţiilor de serviciu, în cuprinsul înscrisului oficial denumit „Rezoluţie", a atestat fapte şi împrejurări necorespunzătoare adevărului şi a omis cu ştiinţă a insera anumite date şi împrejurări şi anume: **a)** susnumitul atribuie, în fals, subsemnatei calitatea procesuală de **martor**, deşi organul de urmărire penală îmi conferise oficial, chiar dacă împotriva voinţei mele, pe aceea de **parte vătămată** în cauză, **b)** motivează pătrunderea în forţă a procurorului, în imobilul percheziţionat, cu argumente false legate de incendierea unor înscisuri la alte percheziţii, constatarea activităţii de video-chat (imobilul nefiind branşat la reţeaua Internet), existenţa unor mijloace vulnerante de opoziţie la efectuarea percheziţiei (neconsemnate în procesul-verbal de percheziţie).
- Reproşează subsemnatei tardivitatea susţinerilor că am fost molestată fizic şi psihic, afirmând că ar fi trebuit să "ridic aceste excepţii" în momentul în care mi-au fost smulse declaraţiile pentru ca ele să poată fi reţinute, consemnare total contrară legii penale.
- Încălcând prevederile Legii nr.51/1995 pentru organizarea şi exercitarea profesiei de avocat, dl. George Bălan arată că nu era necesară admiterea cererii subsemnatei în calitate de martor (?!), minoră la data respectivă, de a fi asistată de avocat. **Este foarte edificator faptul că atunci când este vorba despre încălcarea drepturilor mele legale de către organele de anchetă subsemnatei i se atribuie calitatea de martor, iar atunci când este necesar ca declaraţiile mele să fie folosite împotriva lui Bivolaru Gregorian, acestea sunt interpretate ca fiind ale unei părţi vătămate???!!!**
- În mod cinic, susnumitul apreciază drept suficientă hrana alocată subsemnatei, constând în ciocolată şi un pahar cu apă pentru cele 18 ore de reţinere, în care practic am fost supusa la rele tratamente.
- Prin măsura dispusă, şi anume aceea de respingere ca neîntemeiate a plângerilor subsemnatei, dl. George Bălan se face de asemenea vinovat de favorizarea infractorilor care au săvârşit faptele care vor fi detaliate mai jos.

**Situația de fapt:**

La data de 18.03.2004, aflându-se în derularea percheziționării imobilului din București, str. Vasile Grozavu, nr. 2, sector 5, trupele de jandarmi însoțite de d-na procuror Nica Andreea, au identificat pe subsemnata, petenta-minora Madalina Dumitru, născută în luna septembrie 1986, eleva în clasa a XI-a de liceu. Despre existența subsemnatei la adresa respectivă, reprezentanții Parchetului aveau cunoștință din convorbirile mele telefonice, interceptate sub pretextul săvârșirii unor infracțiuni împotriva siguranței naționale.

În timpul descinderii violente la domiciliul meu, subsemnata am fost filmată dezbracată împotriva voinței mele, am fost bruscată și amenințată, fiind ținută în vizorul armelor de foc de către luptători mascați, timp de peste 14 ore. În tot acest timp, reprezentanții organelor de cercetare penală mi-au interzis cu desăvârșire și prin violență să iau legatura cu vreun membru al familiei sau cu un avocat.

Astfel, procurorul care m-a audiat după trauma psihică pe care am suferit-o pe toată durata efectuării percheziției domicilare abuzive, **m-a obligat prin șantaj și amenintare** să consemnez că domnul Bivolaru este **profesorul** meu de Yoga și că cel mai bine ar fi și pentru mine și pentru dl. Bivolaru să consemnez că îl cunosc chiar mai de demult, dinainte de anul 2002, mai precis din vara lui 2001, aspect despre care i-am spus că este fals.

Acest demers al organelor de anchetă era esențial, deoarece art.198 Cod penal prevede conținut infracțional doar faptei de întreținere a raporturilor sexuale cu o persoană sub 15 ani sau cu o persoană între 15 ani și 18 ani, dacă fapta e săvârșită de profesorul victimei, abuzând de încrederea ei.

Ulterior, fiind trasă de păr, amenințată cu bătaia și cu faptul că nu voi mai fi liberă niciodată dacă nu accept să semnez o declarație de care anchetatorii aveau neapărată nevoie, lipsită de apărător și de oricine altcineva care să-mi apere drepturile, am luat în serios amenințările proferate și am semnat respectiva declarație.

De altfel, după peste 14 ore de abuzuri, în care un interval de timp am fost ținută, în domiciliu meu, întinsă cu fața în jos și amenințată cu arma de foc, ce tânără de 17 ani ar fi refuzat să semneze declarația dictată de anchetator?

Calitatea procesuală a subsemnatei a fost dictată de rațiunile judiciare circumscrise fabricării de probe.

Într-un mod premeditat, calitatea în care am fost audiată era confuză. Mi-au spus că am calitatea de martor și că de aceea nu-mi trebuie avocat, dar la finalul primei declarații, luate practic în stare de reținere ilegală, au completat că: „față de cele consemnate vă rog să luați măsuri", expresie dictată de anchetator (pe care este absolut evident că o minoră nu avea cum să o cunoască) și care poate conferi unei declarații natura unei plângeri.

Afirm aceasta, întrucât parte vătămată este acea persoană care, prejudiciată fiind de un anumite fapte penale săvârșite împotriva ei, se adresează organelor de anchetă pentru a i se face dreptate, cerând anchetarea și trimiterea în judecată a inculpatului.

**Or, în cazul subsemnatei, nu am formulat şi depus nici o plângere împotriva domnului Gregorian Bivolaru, ci dimpotivă, ulterior, am depus o plângere împotriva organelor de cercetare penală care m-au abuzat psihic şi fizic, m-au filmat, m-au forţat să merg la Parchet cu duba Poliţiei, mi-au refuzat în mod violent dreptul de a chema un avocat şi m-au constrâns prin şantaj şi ameninţare să dau declaraţia din 18.03.2004.**

In plângerile soluţionate de Procurorul General George Bălan prin Rezoluţie, subsemnata arăt expres faptul că am fost folosită de anchetatori pentru incriminarea lui Gregorian Bivolaru şi că declaraţiile luate prin forţă nu conţin fapte reale. Acea plângere era evident o plângere penală împotriva organelor de cercetare penală care m-au abuzat psihic si fizic, care au divulgat,casetele filmate cu ocazia percheziţiei, m-au forţat să merg la Parchet cu duba Poliţiei, acolo mi-au refuzat în mod violent dreptul de a chema un avocat şi mi-au impus să dau declaraţii neconforme cu realitatea.

Starea de minoritate a subsemnatei a fost ignorată de procurori, care ar fi trebuit să-i asigure un tratament special şi un exerciţiu deplin al drepturilor civile, conform legilor interne şi comunitare, aceeaşi stare de minoritate fiind exploatată în mod josnic pentru a-l incrimina pe Gregorian Bivolaru.

În momentul în care subsemnata am formulat plângerile, relatând în ce condiţii de stress teribil (poliţişti, jandarmi mascaţi, ameninţări şi violenţe fizice) mi-a fost smulsă declaraţia iniţială, mi-a fost refuzată consemnarea unei noi declaraţii de însuşi procurorul anchetator, care nu dorea să se afle adevărul, şi care m-a expediat, practic în stare de reţinere, la Institutul Medico-Legal pentru a fi expertizată (!) ginecologic şi anal, împotriva voinţei mele.

La Institutul de medicină-legală am fost smulsă de trupe SPIR (Serviciul de Protecţie şi Intervenţie Rapidă al Poliţiei) din braţele logodnicului meu, Remus Lomoş. După ce iniţial am fost despărţită şi de avocata mea şi sechestrată în interiorul IML, la multiplele mele insistente, i s-a permis avocatei să intre în incinta institutului, unde am rămas sechestrate, prin violenţă, peste 4 ore, în pofida solicitărilor noastre de a fi eliberate.

Împotrivindu-mă efectuării examenului ginecologic şi anal şi susţinând adevărul, şi anume că nu am întreţinut raporturi sexuale cu Gregorian Bivolaru, în faţa reporterilor de la toate posturile de televiziune şi ziariştilor, declaraţie ce surpa întreg eşafodajul atât de şubred al acuzaţiilor machiavelice ale Parchetului, am devenit din acel moment ţinta transpunerii în faptă a ameninţărilor iniţiale ale procurorului anchetator, care, vă reamintesc, îmi promisese **că voi fi agresată şi că nu voi mai fi liberă**.

Agresiunile şi îngrădirea stării mele de libertate, au devenit o crudă realitate începând cu acel moment. După 4 ore de reţinere ilegală am fost urcate cu forţa, atât eu cât şi avocata mea, într-o maşină a Poliţiei. Ulterior am fost despărţită şi de avocata mea, bruscată, luată cu forţa de membrii trupelor SPIR, mascaţi, care i-au declarat în fals avocatei că „A venit familia Mădălinei să o ia!"

Ulterior, la data de vineri, 23 aprilie 2004, autoritățile au anunțat că subsemnata, profitând de un moment de neatenție al supraveghetorilor (?!), am fugit de acasa și că am fost dată în urmărire generală și în consemn la frontieră!!!!! Un fapt petrecut în premieră internațională – în România o presupusă "parte vătămată" este dată în urmărire generală și în consemn la frontieră.

**Enumăr mai jos faptele pentru care dl. George Bălan ar fi trebuit să se sesizeze în urma plângerilor formulate de subsemnata:**

**I.** Din **legea comunitară** au fost încălcate dispoziții privind:

1) DREPTUL LA PROPRIA IMAGINE, LA RESPECTAREA VIEȚII PRIVATE ȘI DE FAMILIE, A DOMICILIULUI ȘI A CORESPONDENȚEI,

Art. 8 din Convenția pentru apărarea drepturilor omului și a libertăților fundamentale, amendată prin Protocoalele 3, 5, si 8 și completată prin Protocolul nr.2 – denumită în continuare Convenția.

2) DREPTUL LA LIBERTATE ȘI SIGURANȚĂ ȘI DREPTUL LA APĂRARE garantate atât de art.6 Cod Procedură Penală, cât și de art.5 și art.6, pct.3 din Convenție.

3) DREPTUL LA LIBERTATEA DE GÂNDIRE, DE CONȘTIINȚĂ ȘI DE RELIGIE, art.9 din Convenție.

**II.** Din **Constituția României** s-au încălcat următoarele articole:

**1) ARTICOLUL 16 - EGALITATEA ÎN DREPTURI**

Art 16, alin 1: ***"Cetățenii sunt egali în fața legii și autorităților publice fără privilegii și discriminări."***

**2) ARTICOLUL 21 - ACCESUL LIBER LA JUSTIȚIE**

Art.21 alin.1 și 3: ***"Orice persoană se poate adresa justiției pentru apărarea drepturilor, a libertății și a intereselor legitime." "Părțile au dreptul la un proces echitabil și la soluționarea cauzelor într-un termen rezonabil".***

Procurorii au refuzat să consemneze declarația ulterioară a subsemnatei, declarație prin care reveneam asupra aceleia smulsă prin forță și teroare de catre Parchet și prin care arătam adevărul.

**3) ARTICOLUL 22 - DREPTURILE ŞI LIBERTĂŢILE FUNDAMENTALE**

Art.22 alin.1 şi 2: ***"Dreptul la viaţă, precum şi dreptul la integritate fizică şi psihică sunt garantate", "Nimeni nu poate fi supus torturii şi nici unui fel de pedeapsa sau tratament inuman ori degradant ".***

**4) ARTICOLUL 23 - LIBERTATEA INDIVIDUALĂ**

Art.23 alin.1 şi 2: ***"Libertatea persoanei şi siguranţa persoanei sunt inviolabile", "Percheziţionarea, reţinerea sau arestarea unei persoane sunt premise numai în cazurile şi cu procedura emisă de lege."***

**5) ARTICOLUL 24 - DREPTUL LA APĂRARE**

Art.24 alin.1 şi 2 : ***"Dreptul la apărare este garantat", "În tot cursul procesului, părţile au dreptul să fie asistate de un avocat, ales sau numit din oficiu".***

În data de 18 martie 2004, la audierile care au avut loc la Parchet, subsemnata, minoră la acea dată, am solicitat insistent prezenţa unui avocat, drept care mi-a fost REFUZAT, dar am fost audiată ÎN PREZENŢA UNUI PSIHOLOG CARE ÎI SUGERA PROCURORULUI MODALITĂŢI CÂT MAI ABILE DE MANIPULARE A SUBSEMNATEI, pentru fabricarea unei declaraţii incriminatorii.

Lipsirea de apărare, intenţionată şi premeditată, a continuat la I.M.L. unde subsemnata am fost din nou despărţită prin violenţă de avocatul meu ales. Cu toate eforturile depuse, d-nei avocat nu i s-a mai permis să mă contacteze ulterior.

**6) ARTICOLUL 26 - VIAŢA INTIMĂ, FAMILIALĂ ŞI PRIVATĂ**

Art.26 alin.1 şi 2 : ***„Autorităţile publice respectă şi ocrotesc viaţa intimă, familială şi privată.", "Persoana fizică are dreptul să dispună de ea însăşi dacă nu încalcă drepturile şi libertăţile altora, ordinea publică şi bunele moravuri."***

Organele de anchetă au coordonat într-un mod josnic divulgarea aspectelor celor mai intime şi private ale subsemnatei, în acest sens furnizând mass-mediei:

- ✓ numele complet şi adresa mea
- ✓ pasaje dintr-un caiet despre care susţineau într-un mod eronat că ar fi jurnalul meu intim
- ✓ pasaje din bilete şi scrisori găsite la domiciliul meu
- ✓ fotografii şi filmări explicite cu chipul şi trupul aproape nud al subsemnatei, minore la acea dată

**7) ARTICOLUL 33 - ACCESUL LA CULTURĂ**

Art.33 alin.2: ***"Libertatea persoanei de a-şi dezvolta spiritualitatea şi de a accede la valorile culturii naţionale şi universale nu poate fi îngrădită."***

## 8) ARTICOLUL 49 - PROTECȚIA COPIILOR ȘI TINERILOR

Art.49 alin 1 și 5 : ***"Copiii și tinerii se bucură de un regim special de protecție și de asistență în realizarea drepturilor lor", "Autoritățile publice au obligația să contribuie la asigurarea condițiilor pentru participarea liberă a tinerilor la viața politică, socială, economică, culturală și sportivă a țării."***

**III.** Încălcări grave ale **CODULUI DE PROCEDURĂ PENALĂ**:

### 1) Art 3 C.p.p. - PRINCIPIUL AFLĂRII ADEVĂRULUI

- Faptul că subsemnata am fost intimidată, trasă de păr, amenințată, smulgându-mi-se astfel prin forță o declarație care să-l incrimineze pe dl. Gregorian Bivolaru, evidențiază că nu adevarul îi interesa pe anchetatori, ci incriminarea cu orice preț a unui om nevinovat, chiar cu prețul torturării unui minor.

### 2) Art 5 C.p.p. - GARANTAREA LIBERTĂȚII PERSOANELOR

Subsemnata am fost reținută peste 14 ore în ziua de 18 martie 2004 fără să existe nici un mandat de reținere în acest sens. De asemenea, subsemnata am fost apoi reținută în data de 01.04.2004 și dusă cu forța la Constanța în ziua de 07 aprilie 2004, fiind ulterior sechestrată de rude în complicitate cu autoritățile și Parchetul, orice contact cu exteriorul, chiar telefonic, fiindu-mi interzis.

### 3) Art $5^1$ C.p.p. - RESPECTAREA DEMNITĂȚII UMANE

Amenințările, violențele, starea de teroare în care s-a desfășurat ancheta privind pe subsemnata, sechestrarea mea, bătăile și hărțuirea sexuală la care am fost supusă au dus la lezarea gravă, probabil iremediabilă a demnității ființei mele.

Parchetul m-a tratat ca pe o infractoare periculoasă deoarece nu am mai consimțit la susținerea declarației pe care am fost forțată să o semnez, declarație de care aveau nevoie pentru inculparea d-lui Gregorian Bivolaru. Din aceste motive am fost supusă unor tratamente degradante, care au fost de natură să-mi lezeze profund demnitatea.

Tot reprezentanții Parchetului au dat în mod intenționat și iesponsabil publicității aspectele cele mai intime ale vieții subsemnatei, aceasta josnicie lezând din nou, în mod grav, demnitatea mea, cu atât mai mult cu cât, în acest caz, persoana expusă este un minor de sex feminin.

Trimiterea forțată, cu mandat de aducere, pentru a fi expertizată ginecologic și anal, împotriva voinței mele, reprezintă o incalificabilă încălcare a demnității ființei umane.

**4) Art. 6 C.p.p. - GARANTAREA DREPTULUI LA APĂRARE**

La audierile din 18 martie 2004 nu mi s-a permis să fiu asistată de către avocat, deşi acest lucru era OBLIGATORIU în cazul unui minor, iar ulterior, începând cu data de 1 aprilie 2004, atât subsemnatei, cât şi avocatei mele, ni s-a interzis orice formă de contact de către reprezentanţii Parchetului.

**5) Art. 68 C.p.p.-INTERZICEREA MIJLOACELOR DE CONSTRÂNGERE**

În virtutea principiului universal valabil al aflării adevărului, indiferent de interesele şi implicarea emoţională a anchetatorilor, legea română interzice folosirea oricăror mijloace de constrângere, deoarece dedarea la astfel de practici este profund vătămătoare atât pentru persoana împotriva căreia sunt folosite aceste mijloace, cât şi pentru eficienţa şi credibilitatea actului de justiţie înfăptuit.

Magistraţii investiţi cu anchetarea subsemnatei au folosit un întreg arsenal construit din mijloace de constrângere pentru a-şi atinge scopul încriminării PE NEDREPT a domnului Gregorian Bivolaru, în baza proverbului machiavelic: "SCOPUL SCUZĂ MIJLOACELE" de constrângere. Astfel, anchetatorii nu au avut nici o reţinere în a mă intimida, umili, ameninţa, trage de păr, în a mă supune unei stări de lipsire de libertate în mod ilegal, de a mă îndepărta de prietenii mei, de a mă deposeda de bunurile mele personale şi de a expune publicului cele mai intime aspecte ale vieţii mele, pentru a-şi atinge scopul de a induce în eroare justiţia şi opinia publică.

**6) Art 105 alin.3 C.p.p. - EFECTUAREA PERCHEZIŢIEI DOMICILIARE**

Pentru a mă traumatiza şi mai mult, autorităţile au difuzat prin intermediul mass-mediei imagini cu subsemnata, minoră la acea dată, semidezbrăcată şi ATENŢIE, AMENINŢATĂ CU ARMA, iar apoi au dat publicităţii fragmente din însemnările mele personale. Faptul că presupusa "parte vătămată", fiind îmbrăcată sumar, este ameninţată cu arma şi faptul că acele imagini au fost puse la dispoziţia posturilor de televiziune şi presei scrise arată abaterile grave săvârşite de reprezentanţilor Parchetului, care sunt siguri că oricâte abuzuri ar face, nimeni nu o să îi tragă la răspundere.

**IV. Încălcări ale dispoziţiilor din Cod penal:**

Dacă anterior am evidenţiat încălcări ale legislaţiei interne şi internaţionale, lista acestora nefiind exhaustivă, continuăm cu prezentarea INFRACŢIUNILOR săvârşite de anchetatori, multe dintre ele în formă continuată şi în concurs. Specificăm încă o dată că subiectul pasiv al acestor infracţiuni este o persoana minoră.

**Art. 193 Cod penal: AMENINŢAREA** constă în:

Modul în care subsemnata, parte vătămată, am fost ameninţată cu arma, lucru care reiese chiar din imaginile video difuzate de televiziuni, precum şi în celelalte ameninţări verbale la care am fost supusă în timpul audierii şi al anchetei. Infracţiune săvârşită în formă continuată.

**Art.196 Cod penal: DIVULGAREA SECRETULUI PROFESIONAL** constă în:

Divulgarea fără drept a filmărilor efectuate de către organele de anchetă în timpul percheziției domiciliare efectuate la domiciliul subsemnatei, reprezentându-mă în ținută sumară și difuzarea fragmentelor din corespondența și caietele mele personale, aspecte producătoare de prejudicii evidente, incalculabile pentru imaginea, demnitatea și dezvoltarea armonioasă a unei minore.

**Art.246 Cod penal: ABUZ ÎN SERVICIU CONTRA INTERESELOR PERSOANEI** constă în:

1. Modalitatea abuzivă în care s-a făcut percheziția în data de 18.03.2004 la imobilul în care mă aflam. Încălcarea a mai multe articole din procedura penală privitoare la efectuarea percheziției arată modul intenționat defectuos în care organul de anchetă a efectuat percheziția.

2. Interceptarea convorbirilor telefonice private.

**Art. 247 Cod penal: ABUZ ÎN SERVICIU PRIN ÎNGRĂDIREA UNOR DREPTURI** constă în:

Interzicerea contactării avocatului ales atât în timpul percheziției, cât și la audiere. De asemenea, ulterior, după data de 1 aprilie 2004, contactul cu avocatul meu ales mi-a fost interzis cu desăvârșire. Totodată mi s-a îngrădit accesului la justiție, fiind împiedicată să particip la proces, prin refuzul consemnării declarației reale.

Trebuie menționat că toate aceste îngrădiri la care am fost supusă se datorează și convingerilor mele filozofico-culturale, respectiv a faptului că sunt practicantă yoga.

**Art. 248[1] Cod penal: ABUZ ÎN SERVICIU ÎN FORMĂ CALIFICATĂ**

Agravanta evidențiată de efectele deosebit de grave, irevesibile, care au adus atingere drepturilor inviolabile ale ființei umane, împiedicând dezvoltarea armonioasă a subsemnatei, prin trauma psihică și dezrădăcinarea socială și educațională la care am fost supusă

**Art.250 Cod penal: PURTAREA ABUZIVĂ** raportat la **Art.267[1] Cod penal: TORTURA** constă în:

Modul insultător în care mi s-a vorbit, violențele la care am fost supusă atât la percheziție, la audierea din 18 martie 2004, la I.M.L. la data de 1 aprilie 2004, cât și ulterior, suferințele intense, atât fizice, cât și psihice, modul în care am fost tratată, ca și cum aș fi fost o infractoare care trebuie pedepsită, presiunile și intimidările la care am fost supusă acoperă absolut toate elementele materiale ale acestor infracțiuni în mod cumulativ și nu doar în mod alternativ, cum ar fi fost necesar. Infracțiunile au fost realizate în mod continuat.

**Art 266 alin. 1 Cod penal: ARESTAREA, REŢINEREA NELEGALĂ**

Reţinută prima dată pe data de 18 martie 2004, timp de peste 14 ore, subsemnata am fost reţinută apoi peste 4 ore în interiorul I.M.L. pe data de 1 aprilie 2004, după care, împotriva voinţei mele sunt urcată de organele de anchetă în maşină şi transportată cu forţa la Constanţa, unde după o altă perioadă de timp am fost predată familiei.

Infracţiunea a fost săvârşită împotriva subsemnatei în formă continuată.

Conform practicii judiciare -Tribunalul Suprem, Sectia penală, Complet militar, Decizia nr. 42/1973 - s-a decis că: ***"Reţinerea unei persoane fără a exista indicii temeinice că a săvârşit o faptă prevăzută de legea penală şi fără a se fi întocmit ordonanţa de reţinere constituie fapta prevăzută şi pedepsită de art 266 alin 1 Cod penal. Nu are importanţă faptul că persoana nu a fost reţinută peste 24 de ore din moment ce măsura a fost luată fără respectarea condiţiilor legale."***

**Art. 266 alin. 3 Cod penal: CERCETARE ABUZIVĂ** constă în:

Tratamentul cinic şi degradant la care o minoră lipsită de apărare a fost supusă prin ameninţări şi violenţe în scopul de a declara lucruri neadevarate care să ducă la incriminarea unei persoane nevinovate.

Aducerea subsemnatei, minoră la acea dată, în acea stare de spaimă a fost urmărită cu premeditare de către reprezentanţii Parchetului încă din faza percheziţiei în timpul căreia 10 ore am fost torturată, ameninţată, tocmai pentru că astfel, odată dusă cu forţa la Parchet, uşura misiunea procurorului anchetator în a mă determina, prin continuarea utilizării metodelor de mai sus, la care s-au adăugat şi alte violenţe, cum ar fi tragerea de păr, să cedez psihic, şi să declar ceea ce Parchetul dorea. Pentru asigurarea succesului acestei acţiuni mi-a fost respinsă cererea de a fi asistată de un avocat, deşi eram minoră şi am solicitat în mod expres prezenţa unuia.

Aceste fapte ale organelor de anchetă îi descalifică iremediabil pe cei care le-au comis, arătând până unde te poate coborî aservirea politică, complicitatea dintre autorităţi şi o parte a mass-mediei, relevând incapacitatea acestora de a se ridica la pretenţiile unei administrări a justiţiei la standarde europene.

**În dovedirea** acestei plângeri solicit admiterea probei cu casete audio-video, înscrisuri şi martori.

**Faţă de aceste aspecte, vă solicit trimiterea în judecată a celor vinovaţi de săvârşirea infracţiunilor descrise mai sus, persoane care nu trebuie să se considere şi să acţioneze ca şi cum ar fi mai presus de lege.**

**Data: 23.02.2005**

**Semnătura,**
**DUMITRU MĂDĂLINA**

MINISTERUL PUBLIC
Parchetul de pe lângă I.C.C.J.
Secția Relații cu Publicul, Secretariat și
Econo... ce - Administrativă
Serviciul Relații cu Publicul și Secretariat
Nr. 3639
Anul 2007 Luna Feb Ziua 23

Cererea înregistrată

# Criminal complaint filed against the prosecutors George Bălan, Grigore Chaborschi and Andreea Nica

Către,
PARCHETUL DE PE LÂNGĂ
ÎNALTA CURTE DE CASAȚIE ȘI JUSTIȚIE-

**PLÂNGERE PENALĂ**
cu privire la infracțiunile săvârșite asupra
**MINOREI MĂDĂLINA DUMITRU**

Subsemnata **MĂDĂLINA DUMITRU**, cu domiciliul procesual ales în Bucureşti, str. Mihail Sebastian, nr.136, bl.V 90, sc.1, ap.20, sector 5, minoră la data săvârşirii faptelor, formulez prezenta ***plângere penală*** împotriva procurorilor şi lucrătorilor din cadrul Poliției şi Jandarmeriei Române, implicați în percheziționarea, audierea, divulgarea de informații din viața mea intimă, lipsirea mea de libertate, prejudicierea imaginii mele, molestarea, obligarea mea la efectuarea forțată a unei expertize medicale, mutarea mea forțată la Constanța şi sechestrarea mea la domiciliul familei Iordache, întreruperea cursurilor liceale etc.

Din informațiile furnizate de respectivele instituții, am identificat pe unele dintre aceste persoane, care la modul cel mai flagrant, mi-au distrus viața.
Aşadar, formulez **plângere penală** împotriva

A) Procurorilor coordonatori ai Dosarului nr.**720\P\2003**,
**BĂLAN GEORGE**, Procuror General al Parchetului de pe lângă Curtea de Apel Bucureşti şi **CHABORSCHI GRIGORE ANTON**, din cadrul Parchetului de pe lângă Curtea de Apel Bucureşti, procurori care aveau cunoştinţă de domiciliul meu şi de starea mea de minoritate din rapoartele serviciilor secrete ce m-au monitorizat în mod ilegal, şi care au ordonat să mi se aplice tratamente speciale de intimidare şi molestare, anunţând şi colaborând cu presa în legătură cu desfăşurarea acestor activităţi.

B) D-nei procuror **NICA ANDREEA**, din cadrul Parchetului de pe lângă Tribunalul Bucureşti, însărcinată cu efectuarea percheziţiei domiciliare care a avut loc în data de 18 martie 2004 la imobilul din Bucureşti, sector 5, str. Vasile Grozavu, nr.2, care m-a umilit, care mi-a creat o presiune fizică şi psihică extraordinar de mare, m-a obligat să fiu filmată dezbrăcată şi a oferit reporterilor de televiziune filmările astfel realizate, precum şi scrisori şi alte elemente eminamente private ridicate cu ocazia percheziţiei.

**DOMNULUI PROCUROR GENERAL AL PARCHETULUI DE PE LÂNGĂ ÎNALTA CURTE DE CASAȚIE ŞI JUSTIȚIE**

C) JANDARMILOR care au participat la acţiunea violentă, de percheziţionare şi de filmare, desfăşurată cu încălcarea dispoziţiilor legale.

Menţionez încă o dată aspectul extrem de grav că organele de urmărire penală **ŞTIAU EXACT LOCUL UNDE SE AFLĂ SUBSEMNATA**, fapt evidenţiat prin prezentarea ulterioară a dovezilor acestora (în sensul monitorizării mele de către serviciile secrete), astfel că **nu se pot prevala de existenţa indiciilor săvârşirii de către mine a infracţiunilor de spălare de bani, evaziune fiscală**, indicii care au stat la baza emiterii mandatului de percheziţie pentru imobilul respectiv.

**D) Locotenentului RAICU ALINA, ofiţer psiholog din Batalionul I Special Antiterorist al Jandarmeriei Române din cadrul Ministerului Administratiei si Internelor,** care a fost prezentă la audierea mea din noaptea de 18 spre 19 martie 2004 şi care M-A AGRESAT ATÂT PSIHIC, CÂT ŞI FIZIC, manifestând un total neprofesionalism, o atitudine părtinitoare, fiind total dezinteresată să mă cunoască, să-mi apere interesele şi să-mi protejeze starea de minorat. De asemenea, ulterior, aflându-se în exercitarea atribuţiunilor de serviciu, aceasta a întocmit Raportul nr.169795/ 05.04.2004, document în care a atestat fapte şi împrejurări necorespunzătoare adevărului şi în care a omis, cu ştiinţă, să insereze datele şi împrejurările reale.

E) Procurorilor CERBU VIOREL şi CHABORSCHI GRIGORE ANTON care s-au opus cu vehemenţa atunci când am dorit să dau un supliment de declaraţie şi în data de 01.04.2004 au dispus:

- trimiterea mea, în stare de reţinere, cu forţa şi sub escorta SPIR, la Institutul Medico-Legal, pentru efectuarea forţată a unei expertize medicale ginecologice şi anale;
- reţinerea mea ilegală în incinta institutului medico-legal şi ulterior;
- trimitera mea forţată la Constanţa şi încredinţarea mea forţata ( fără să aibă acordul meu şi fără să fie necesară îngijirea mea) **familiei Iordache Florentina şi Marian.**

G) Inspectorului Principal de Poliţie ILIES DUMITRU, care m-a lipsit în mod ilegal de libertate, sechestrându-mă şi molestându-mă, pe parcursul orelor în care am fost transportată forţat, fără vreun mandat, de la Parchetul Curţii de Apel Bucureşti, la I.M.L, şi apoi la Constanţa.

E) Împotriva celorlalţi procurori şi poliţişti anchetatori care au participat la audierea mea în data de 18 spre 19 martie 2004, la sediul Parchetului de pe lângă Curtea de Apel Bucureşti, care nu s-au prezentat şi legitimat şi pe care vă rog pe această cale să îi identificaţi.

F) Vă solicit, de asemenea, să demaraţi o anchetă de verificare a legalităţii monitorizării mele de către serviciile secrete, precum şi a legalităţii emiterii autorizaţiilor de interceptare a convorbirilor mele telefonice. Vă solicit totodată să

procedaţi la identificarea procurorilor care au emis astfel de autorizaţii ilegale de interceptare a convorbirilor mele telefonice.

**În fapt:**

După descinderea în forţă şi abuzivă în locuinţele particulare ale unor persoane fizice a unor trupe de 300 de procurori, poliţişti, jandarmi mascaţi şi trupe de intervenţie specială înarmate, din data de 18 martie 2004, cu scopul de a-l încrimina pe dl. Bivolaru Gregorian, autorităţile au fost nevoite să inventeze un motiv care să justifice abuzurile comise în cadrul operaţiunii cu nume de cod: "CHRIST", abuzuri nemaiîntâlnite în acţiunile organelor de anchetă din ultimii 15 ani.

Autorităţile au fost obligate deci, să fabrice o presupusă infracţiune, prevazută de art.198 Cod penal (Act sexual cu un minor), pe care ar fi săvârşit-o dl. Gregorian Bivolaru faţă de subsemnata, iar în demersul furibund al fabricării unor probe mincinoase, **necesare atingerii deziderateloe din Stenogramele Biroului Permanent al PSD, din data de 27.03.2004**, au călcat în picioare, fără nici cea mai mică ruşine, pe lângă cele mai elementare norme de conduită umană, morală şi socială, norme imperative ale dreptului intern şi international.

**Acestea au constat în săvârşirea, împotriva subsemnatei, minoră la data respectivă, încercând să mă ipostazieze în "victima" infracţiunii arătate, a următoarelor fapte, care au avut ca SCOP: încriminarea pe nedrept a domnului Gregorian Bivolaru.**

Astfel, în data de 18.03.2004, trupe de jandarmi conduse de procuror, m-au identificat şi în timpul descinderii violente, am fost filmată dezbracată împotriva voinţei mele, am fost bruscată şi ameninţată, fiind ţinută în vizorul armelor de foc de către luptători mascaţi, timp de peste 14 ore. În tot acest timp, reprezentanţii organelor de cercetare penală mi-au interzis cu desăvârşire şi prin violenţă să iau legatura cu vreun membru al familiei sau cu un avocat.

Prin crearea unei stări psihice de panică şi nesiguranţă, prin utilizarea metodelor clasice de manipulare psihică şi intimidare, se urmărea ca subsemnata să devin receptivă şi să accept să devin instrumentul realizării scopului expus mai sus, deci să semnez o declaraţie incriminatoare pentru domnul Gregorian Bivolaru.

Astfel, procurorul care m-a audiat după trauma psihică pe care am suferit-o pe toată durata efectuării percheziţiei domiciliare abuzive, **m-a obligat prin şantaj şi ameninţare** să consemnez că domnul Bivolaru este **profesorul** meu de Yoga şi că cel mai bine ar fi şi pentru mine şi pentru dl. Bivolaru să consemnez că îl cunosc chiar mai de demult, dinainte de anul 2002, mai precis din vara lui 2001, aspect despre care i-am spus că este fals şi în legătură cu care am refuzat cu obstinaţie să-l consemnez în declaraţia scrisă de subsemnata.

Acest demers al organelor de anchetă era esenţial, deoarece art.198 Cod penal prevede conţinut infracţional doar faptei de întreţinere a raporturilor sexuale cu o

persoană sub 15 ani sau cu o persoană între 15 ani şi 18 ani, dacă fapta e săvârşită de profesorul victimei, abuzând de încrederea ei.

Ulterior, fiind trasă de păr, ameninţată cu bătaia şi cu faptul că nu voi mai fi liberă niciodată dacă nu accept să semnez o declaraţie de care anchetatorii aveau neapărată nevoie, lipsită de apărător şi de oricine altcineva care să-mi apere drepturile, am luat în serios ameninţările proferate şi am semnat respectiva declaraţie.

De altfel, după peste 14 ore de abuzuri, în care un interval de timp am fost ţinută, în domiciliu meu, întinsă cu faţa în jos şi ameninţată cu arma de foc, ce tânără de 17 ani ar fi refuzat să semneze declaraţia dictată de anchetator?

Într-un mod premeditat, calitatea în care am fost audiată era confuză. Mi-au spus că am calitatea de martor şi că de aceea nu-mi trebuie avocat, dar la finalul primei declaraţii au completat că: „faţă de cele consemnate vă rog să luaţi măsuri", expresie dictată de anchetator (pe care este absolut evident că o minoră nu avea cum să o cunoască) şi care poate conferi unei declaraţii natura unei plângeri.

Afirm aceasta, întrucât parte vătămată este acea persoană care, prejudiciată fiind de anumite fapte penale săvârşite împotriva ei, se adresează organelor de anchetă pentru a i se face dreptate, cerând anchetarea şi trimiterea în judecată a inculpatului.

**Or, în cazul subsemnatei, nu am formulat şi depus nici o plângere împotriva domnului Gregorian Bivolaru, ci dimpotivă, ulterior, am depus o plângere împotriva organelor de cercetare penală care m-au abuzat psihic şi fizic, m-au filmat, m-au forţat să merg la Parchet cu duba Poliţiei, mi-au refuzat în mod violent dreptul de a chema un avocat şi m-au constrâns prin şantaj şi ameninţare să dau declaraţia din 18.03.2004.**

Aşadar, starea mea de minoritate nu a contat pentru anchetatori atunci când trebuiau să-mi respecte şi să-mi apere drepturile civile, conform legilor interne şi internaţionale, dar a devenit în mod suspect un element foarte important în măsura în care aceştia ar fi reuşit să-şi atingă scopul de a-l încrimina pe d-nul Gregorian Bivolaru.

**În momentul în care mi-am exprimat opţiunea de a reveni asupra declaraţiei din 18.03.2004** ***luată subsemnatei sub ameninţare, şantaj şi o stare de presiune psihică insuportabilă chiar şi pentru un adult*** - relatând în ce condiţii de stres teribil (poliţişti, jandarmi mascaţi, ameninţări şi violenţe fizice) mi-a fost smulsă declaraţia iniţială - , **mi-a fost refuzată!!!consemnarea unei noi declaraţii de însuşi procurorul anchetator, care nu dorea să se afle adevărul şi care m-a expediat, practic în stare de reţinere, la Institutul Medico-Legal pentru a fi expertizată (!) ginecologic şi anal, împotriva voinţei mele.**

La Institutul de Medicină-Legală am fost smulsă de trupe SPIR (Serviciul de Protecţie şi Intervenţie Rapidă al Poliţiei) din braţele logodnicului meu, Remus Lomoş. După ce iniţial am fost despărţită şi de avocata mea şi sechestrată în interiorul IML, la multiplele mele insistente i s-a permis avocatei să intre în incinta institutului, unde am rămas sechestrate, prin violenţă, peste 4 ore, în pofida solicitărilor noastre de a fi eliberate.

Împotrivindu-mă efectuării examenului ginecologic şi anal şi simţindu-mă totodată extrem de violentată în intimitatea şi pudoarea mea, în faţa reporterilor de la toate posturile de televiziune şi ziariştilor am susţinut adevărul, şi anume că nu am întreţinut

niciodata raporturi sexuale cu Gregorian Bivolaru. **Declarația mea surpa întreg eșafodajul atât de șubred al acuzațiilor machiavelice ale Parchetului și din acel moment am devenit ținta transpunerii în faptă a amenințărilor inițiale ale procurorului anchetator, care, vă reamintesc, îmi promisese că voi fi agresată și că nu voi mai fi liberă.**

Agresiunile și îngrădirea stării mele de libertate au devenit o crudă realitate începând cu acel moment. După 4 ore de reținere ilegală am fost urcate cu forța, atât eu cât și avocata mea, într-o mașină a Poliției. Ulterior am fost despărțită și de avocata mea, bruscată, luată cu forța de membrii trupelor SPIR, mascați, care i-au declarat în fals avocatei că „A venit familia Mădălinei să o ia!"

Pentru conformitate redau mai jos un fragment din Memoriul adresat de avocata mea, D-na Adina Solomon, Procurorului General de pe lângă Curtea de Apel București, în fapt cel care a coordonat aceste abuzuri:

*„În data de 01.04.2004- avocat Solomon Adina am fost solicitată de către clienta mea D-ra Dumitru Mădălina în vederea asistării acesteia din punct de vedere juridic la Parchetul de pe lângă Curtea de Apel București, minora intenționând în mod expres să acorde un supliment de declarație în Dosarul nr.720/P/2003..*

*În mod total netemeinic, acesteia i s-a refuzat de către procurorii care instrumentează dosarul, respectiv Dl. Procuror Cerbu Viorel și Dl. Procuror Chaborschi Anton Grigore, să o audieze în vederea suplimentării declarației dată de către aceasta în ziua de 18.03.2004. Invocând un mandat de aducere (care, de altfel, prin prezentarea minorei de bunăvoie la Parchet nu își mai producea efectele), procurorii mai sus amintiți au dispus ca Dumitru Mădălina să efectueze o expertiză medico-legală la IML, obligând-o cu escortă, formată din mai multe mașini ale Poliției, să se prezinte la sediul institutului. În momentul în care clienta mea, minora Dumitru Mădălina, a ajuns la IML, însoțită fiind de Subsemnata, aceasta a constatat represiunea inexplicabilă care se produce asupra ei (ușile spitalului fiind blocate și flancate de către polițiști civili), și, intrând în panică, ea a înțeles că efectuarea acestei expertize medico-legale nu mai este un act de voință liber, compatibil cu statutul de parte vătămată, ci un abuz flagrant din partea organelor de cercetare penală.*

*Din momentul acela clienta mea, împreună cu mine, am fost reținute cu forța circa 4 ore în incinta Spitalului (institutului), după care în jurul orelor 17.00 am fost obligate de către forțele speciale ale Poliției, din cadrul S.P.I.R. să intrăm într-o dubă a Poliției. Vă informez ca în momentul introducerii Subsemnatei în dubă am fost insultată ca o infractoare și agresată fizic. Escortate de alte două mașini ale Poliției din cadrul S.P.I.R. atât Subsemnata cât și clienta mea Dumitru Mădălina am fost transportate în forță, având ca destinație finală curtea interioara a Politiei Capitalei. Din momentul acela, într-un mod abuziv și cu o violență rar întâlnită, Subsemnata am fost despărțită de clienta mea, minora Dumitru Mădălina, aceasta fiind condusă într-o direcție necunoscută și fără să fie însoțită de familie. Tot din acel moment, nu mi s-a mai permis exercitarea atribuțiilor Subsemnatei în calitate de avocat delegat, conform contractului de*

*asistenţa juridică , deşi Subsemnata m-am prezentat imediat la Parchetul de pe lângă Curtea de Apel Bucureşti şi am solicitat permanent timp de 3 ore să mi se acorde accesul la clienta mea, minora Dumitru Mădălina.''*

Abuzurile organelor de anchetă - în sensul că am fost luată cu forţa, dusă la I.M.L. şi reţinută aici mai multe ore, fiind despărţită de iubitul meu şi de d-na avocat - reies şi din imaginile filmate şi difuzate la toate posturile TV, imagini în care subsemnata, adusă la limita suportabilului, plâng, sunt terorizată şi încerc să ies din I.M.L pe uşile flancate de jandarmi, precum şi din imaginile în care, tot plângând, repetam a nu ştiu câta oară că nu avusesem relaţii intime cu Gregorian Bivolaru şi că nu fusesem violată de nimeni niciodată.

**Am fost dusă apoi, cu forţa şi împotriva voinţei mele, la Direcţia Generală de Protecţie a Copilului din Constanţa, unde, fără respecterea legislaţiei de specialitate, fără efectuarea anchetei sociale obligatorii şi împotriva voinţei mele, am fost încredinţată în plasament familial, începând cu data de 06.04.2004, surorii mele mai mari şi soţului acesteia, Iordache Florentina si Marian.**

**De menţionat că în perioada 01.04.2003-06.04.2004, mi-a fost interzis contactul cu exteriorul - fiind practic lipsită de libertate în mod ilegal, deoarece pe numele meu nu exista nici un mandat de reţinere sau arestare - prietenii mei, logodnicul meu, Remus Lomoş, şi d-na avocat nu au ştiut nimic despre mine. De abia pe data de 06.04.2004, prietenii şi logodnicul meu au aflat din ziar că eram ţinută închisă la familia Iordache şi că la data respectivă urma să fie încredinţată oficial acestora.**

***Fiind sechestrată total timp de 8 zile, am fost bătută de rude, agresată sexual de soţul surorii mele, Iordache Marian, şi păzită cu străşnicie de Poliţie şi serviciile secrete, care stăteau permanent în faţa porţii, creându-mi o stare evidentă de teroare şi încarcerare.***

La ancheta realizată în data de 15 aprilie 2004, de către Oficiul de Protecţie al Copilului Constanţa, la domiciliul meu, **inspectorii deplasaţi la faţa locului după sesizările primite, au recunoscut verbal la plecare că: *"Intr-adevăr, au lovit-o!"***

După data de 15 aprilie 2004, atât logodnicul, cât şi prietenii mei, încercând în repetate rânduri să ia legatura cu mine, au fost refuzaţi, dar aceştia m-au văzut, prin gardul casei respective, în timp ce eram lovită cu bestialitate de rude.

În acest răstimp, mi s-a interzis să-mi continui studiile şi din cauza absenţelor am fost exmatriculată de la liceu.

Vineri, 23 aprilie 2004, autorităţile au anunţat că subsemnata, profitând de un moment de neatenţie al supraveghetorilor (?!), am fugit de acasă şi că **am fost dată în urmărire generală şi în consemn la frontieră!!!!! Un fapt petrecut în premieră internaţională – în România o presupusă "parte vătămată" este dată în urmărire generală şi în consemn la frontieră.**

În cadrul acestor acţiuni abuzive şi halucinante pentru un stat care se pretinde democratic, s-au încălcat următoarele dispoziţii legale interne şi internaţionale, şi s-au comis următoarele infracţiuni:

În permanenţă subsemnata am fost agresată psihic şi fizic de către organele de anchetă. Astfel, atât în timpul descinderii la domiciliul meu şi ulterior în timpul anchetei din noaptea respectivă desfăşurată la Parchet, cât şi ulterior la I.M.L., precum şi când am fost sechestrata de rude cu complicitatea Parchetului şi a autorităţilor, subsemnata am fost ţinta intimidărilor şi a unor presiuni psihice uriaşe, aspecte care reies atât din declaraţiile mele si ale martorilor, cat şi din imaginile filmate.

Starea de teroare inspirată este evidentă. În fapt, ca urmare a unei astfel de stări de tulburare a rezultat prima declaraţie la Parchet, cea folosită în mod abuziv la incriminarea domnului Gregorian Bivolaru. Aceasta stare s-a urmărit să fie indusă şi menţinută subsemnatei (acum prin bătăile administrate de rude şi prin sechestrarea mea în casă) tocmai pentru ca Parchetul şi autorităţile să mă poată manipula în sensul dorit.

## 4) ARTICOLUL 23 - LIBERTATEA INDIVIDUALĂ

Art.23 alin.1 şi 2: ***"Libertatea persoanei şi siguranţa persoanei sunt inviolabile", "Percheziţionarea, reţinerea sau arestarea unei persoane sunt premise numai în cazurile şi cu procedura emisă de lege."***

Încălcarea constă în faptul că:

În repetate rânduri organele de urmărire penală s-au comportat cu subsemnata ca şi cum aş fi fost un infractor periculos şi nu o parte vătămată sau un martor. Astfel am fost reţinută, deşi nu se emisese nici un mandat în acest sens, peste 14 ore, în ziua de 18 martie 2004, atât la domiciliul meu, cât şi la Parchet, unde am fost dusă cu forţa, pentru a fi audiată fără avocat şi în condiţii de teroare.

De asemenea, starea de reţinere s-a prelungit în fapt şi pe perioada sechestrării la domiciliul rudelor cărora le-am fost dată în plasament în mod total ilegal—respectiv prin Hotărârea nr. 696 din 7.04.2004 dată de Oficiul de Protecţie al Copilului Constanţa, hotărâre dată cu încălcarea legii şi prin urmare, nulă.

## 5) ARTICOLUL 24 - DREPTUL LA APĂRARE

Art.24 alin.1 şi 2 : ***"Dreptul la apărare este garantat", "În tot cursul procesului, părţile au dreptul să fie asistate de un avocat, ales sau numit din oficiu".***

Încălcarea constă în faptul că:

În data de 18 martie 2004, la audierile care au avut loc la Parchet, subsemnata, minoră la acea dată, am solicitat insistent prezenţa unui avocat, drept care mi-a fost REFUZAT, dar am fost audiată ÎN PREZENŢA UNUI PSIHOLOG CARE ÎI SUGERA PROCURORULUI MODALITĂŢI CÂT MAI ABILE DE MANIPULARE A SUBSEMNATEI, pentru fabricarea unei declaraţii incriminatorii.

Lipsirea de apărare, intenţionată şi premeditată, a continuat la I.M.L. unde subsemnata am fost din nou despărţită prin violenţă de avocatul meu ales. Cu toate eforturile depuse, d-nei avocat nu i s-a mai permis să mă contacteze ulterior.

## 6) ARTICOLUL 26 - VIAȚA INTIMĂ, FAMILIALĂ ȘI PRIVATĂ

Art.26 alin.1 și 2 : ***„Autoritățile publice respectă și ocrotesc viața intimă, familială și privată.", "Persoana fizică are dreptul să dispună de ea însăși dacă nu încalcă drepturile și libertățile altora, ordinea publică și bunele moravuri."***

Încălcarea constă în faptul că:

Organele de anchetă au coordonat într-un mod josnic divulgarea aspectelor celor mai intime și private ale subsemnatei, în acest sens furnizând mass-mediei:

- ✓ numele complet și adresa mea
- ✓ pasaje dintr-un caiet despre care susțineau într-un mod eronat că ar fi jurnalul meu intim
- ✓ pasaje din bilete și scrisori găsite la domiciliul meu
- ✓ fotografii și filmări explicite cu chipul și trupul aproape nud al subsemnatei, minore la acea dată

## 7) ARTICOLUL 30 - LIBERTATEA DE EXPRIMARE

Art.30 alin.6: ***"Libertatea de exprimare nu poate prejudicia demnitatea, onoarea, viața particulară și nici dreptul la propria imagine".***

Încălcarea constă în faptul că:

Organele de anchetă au furnizat mass-mediei pasaje dintr-un caiet - despre care organele de cercetare penală susțineau într-un mod total eronat că ar fi jurnalul intim al subsemnatei - lucru care a dus la prejudicierea gravă a imaginii unei persoane și în special a unei adolescente aflată în clasa a XI-a.

Acest tip de informații atrag din partea colegilor și chiar a profesorilor glume deplasate sau insulte care vor duce inevitabil la lezarea demnității și onoarei subsemnatei.

## 8) ARTICOLUL 33 - ACCESUL LA CULTURĂ

Art.33 alin.2: ***"Libertatea persoanei de a-și dezvolta spiritualitatea și de a accede la valorile culturii naționale și universale nu poate fi îngrădită."***

Încălcarea constă în faptul că:

Până la plasarea forțată și abuzivă în custodia familiei Iordache, subsemnata am locuit mai peste un an și jumătate în București, unde eram o elevă foarte bună la un liceu economic. Menționez că eram apreciată de cadrele didactice, comportamentul meu fiind ireproșabil, având nota 10 la purtare.

Preocupările mele extrașcolare despre care și cadrele didactice aveau cunoștință, erau lectura unor cărți de yoga și practica acestei discipline milenare tocmai pentru a mă dezvolta spiritual.

Mai mult decât atât, prin demersurile ilegale întreprinse împotriva subsemnatei, am fost împiedicată să-mi continui studiile, fiind mutată obligatoriu la Constanța.

## 9) ARTICOLUL 49 - PROTECȚIA COPIILOR ȘI TINERILOR

**Art.49 alin 1 şi 5 :** ***"Copiii şi tinerii se bucură de un regim special de protecţie şi de asistenţă în realizarea drepturilor lor", "Autorităţile publice au obligaţia să contribuie la asigurarea condiţiilor pentru participarea liberă a tinerilor la viaţa politică, socială, economică, culturală şi sportivă a ţării."***

**III.** Încălcări grave ale **CODULUI DE PROCEDURĂ PENALĂ**:

**1) Art 3 C.p.p. - PRINCIPIUL AFLĂRII ADEVĂRULUI**

- Faptul că subsemnata am fost intimidată, trasă de păr, ameninţată, smulgându-mi-se astfel prin forţă o declaraţie care să-l incrimineze pe dl. Gregorian Bivolaru, evidenţiază că nu adevarul îi interesa pe anchetatori, ci incriminarea cu orice preţ a unui om nevinovat, chiar cu preţul torturării unui minor.

- Refuzul procurorilor ANTON GRIGORE CHABORSCHI şi VIOREL CERBU, de la Parchetul Curţii de Apel Bucureşti, de a lua suplimentul de declaraţie pe care subsemnata am vrut să îl dau în ziua de 01.04.2004, declaraţie în care am vrut să relatez adevarata natură a relaţiei mele cu Gregorian Bivolaru, confirmă încă o dată încălcarea acestui principiu de bază al desfăşurării justiţiei.

**2) Art 5 C.p.p. - GARANTAREA LIBERTĂŢII PERSOANELOR**

Subsemnata am fost reţinută peste 14 ore în ziua de 18 martie 2004 fără să existe nici un mandat de reţinere în acest sens. De asemenea, subsemnata am fost apoi reţinută în data de 01.04.2004 şi dusă cu forţa la Constanţa în ziua de 07 aprilie 2004, fiind ulterior sechestrată de rude în complicitate cu autorităţile şi Parchetul, orice contact cu exteriorul, chiar telefonic, fiindu-mi interzis.

**3) Art $5^1$ C.p.p. - RESPECTAREA DEMNITĂŢII UMANE**

Ameninţările, violenţele, starea de teroare în care s-a desfăşurat ancheta privind pe subsemnata, sechestrarea mea, bătăile şi hărţuirea sexuală la care am fost supusă au dus la lezarea gravă, probabil iremediabilă a demnităţii fiinţei mele.

Parchetul m-a tratat ca pe o infractoare periculoasă deoarece nu am mai consimţit la susţinerea declaraţiei pe care am fost forţată să o semnez, declaraţie de care aveau nevoie pentru inculparea d-lui Gregorian Bivolaru. Din aceste motive am fost supusă unor tratamente degradante, care au fost de natură să-mi lezeze profund demnitatea.

Tot reprezentanţii Parchetului au dat în mod intenţionat şi iresponsabil publicităţii aspectele cele mai intime ale vieţii subsemnatei, aceasta josnicie lezând din nou, în mod grav, demnitatea mea, cu atât mai mult cu cât, în acest caz, persoana expusă este un minor de sex feminin.

Trimiterea forţată, cu mandat de aducere, pentru a fi expertizată ginecologic şi anal, împotriva voinţei mele, reprezintă o incalificabilă încălcare a demnităţii fiinţei umane.

**4) Art. 6 C.p.p. - GARANTAREA DREPTULUI LA APĂRARE**

La audierile din 18 martie 2004 nu mi s-a permis să fiu asistată de către avocat, deşi acest lucru era OBLIGATORIU în cazul unui minor, iar ulterior, începând cu data

de 1 aprilie 2004, atât subsemnatei, cât şi avocatei mele, ni s-a interzis orice formă de contact de către reprezentanţii Parchetului.

**5) Art. 68 C.p.p.-INTERZICEREA MIJLOACELOR DE CONSTRÂNGERE**

În virtutea principiului universal valabil al aflării adevărului, indiferent de interesele şi implicarea emoţională a anchetatorilor, legea română interzice folosirea oricăror mijloace de constrângere, deoarece dedarea la astfel de practici este profund vătămătoare atât pentru persoana împotriva căreia sunt folosite aceste mijloace, cât şi pentru eficienţa şi credibilitatea actului de justiţie înfăptuit.

Magistraţii investiţi cu anchetarea subsemnatei au folosit un întreg arsenal construit din mijloace de constrângere pentru a-şi atinge scopul încriminării PE NEDREPT a domnului Gregorian Bivolaru, în baza proverbului machiavelic: "SCOPUL SCUZĂ MIJLOACELE" de constrângere. Astfel, anchetatorii nu au avut nici o reţinere în a mă intimida, umili, ameninţa, trage de păr, în a mă supune unei stări de lipsire de libertate în mod ilegal, de a mă îndepărta de prietenii mei, de a mă deposeda de bunurile mele personale şi de a expune publicului cele mai intime aspecte ale vieţii mele, pentru a-şi atinge scopul de a induce în eroare justiţia şi opinia publică.

**6) Art 105 alin.3 C.p.p. - EFECTUAREA PERCHEZIŢIEI DOMICILIARE**

Pentru a mă traumatiza şi mai mult, autorităţile au difuzat prin intermediul mass-mediei imagini cu subsemnata, minoră la acea dată, semidezbrăcată şi ATENŢIE, AMENINŢATĂ CU ARMA, iar apoi au dat publicităţii fragmente din înscrisurile mele personale. Faptul că presupusa "parte vătămată", fiind îmbrăcată sumar, este ameninţată cu arma şi faptul că acele imagini au fost puse la dispoziţia posturilor de televiziune şi presei scrise arată abaterile grave săvârşite de reprezentanţilor Parchetului, care sunt siguri că oricâte abuzuri ar face, nimeni nu o să îi tragă la răspundere.

Dacă anterior am evidenţiat încălcări ale legislaţiei interne şi internaţionale, lista acestora nefiind exhaustivă, continuăm cu prezentarea INFRACŢIUNILOR săvârşite de anchetatori, multe dintre ele în formă continuată şi în concurs. Specificăm încă o dată că subiectul pasiv al acestor infracţiuni este o persoana minoră.

**IV.** Situaţia de fapt relevă întrunirea elementelor constitutive ale următoarelor infracţiuni, săvârşite în concurs, prevăzute şi pedepsite de **CODUL PENAL** în dispoziţiile:

**Art.189, alin. 2 Cod penal: LIPSIREA DE LIBERTATE ÎN MOD ILEGAL** constă în faptul că:

Subsemnata, minoră fiind la acea dată, am suferit un veritabil arest aproape toată perioada 01-22 aprilie, la domiciliul familiei Iordache, prin complicitatea dintre aceştia **şi organele de anchetă**. Infracţiunea a fost săvârşită în formă continuată.

**Art. 193 Cod penal: AMENINȚAREA** constă în:

Modul în care subsemnata, parte vătămată, am fost amenințată cu arma, lucru care reiese chiar din imaginile video difuzate de televiziuni, precum și în celelalte amenințări verbale la care am fost supusă în timpul audierii și al anchetei. Infracțiune săvârșită în formă continuată.

**Art.196 Cod penal: DIVULGAREA SECRETULUI PROFESIONAL** constă în:

Divulgarea fără drept a filmărilor efectuate de către organele de anchetă în timpul percheziției domiciliare efectuate la domiciliul subsemnatei, reprezentându-mă în ținută sumară și difuzarea fragmentelor din corespondența și caietele mele personale, aspecte producătoare de prejudicii evidente, incalculabile pentru imaginea, demnitatea și dezvoltarea armonioasă a unei minore.

**Art.246 Cod penal: ABUZ ÎN SERVICIU CONTRA INTERESELOR PERSOANEI** constă în:

1. Modalitatea abuzivă în care s-a făcut percheziția în data de 18.03.2004 la imobilul în care mă aflam. Încălcarea mai multor articole din Codul de Procedură Penală privitoare la efectuarea percheziției arată modul intenționat defectuos în care organul de anchetă a efectuat percheziția.

2. Interceptarea convorbirilor telefonice private.

**Art. 247 Cod penal: ABUZ ÎN SERVICIU PRIN ÎNGRĂDIREA UNOR DREPTURI** constă în:

Interzicerea contactării avocatului ales atât în timpul percheziției, cât și la audiere. De asemenea, ulterior, după data de 1 aprilie 2004, contactul cu avocatul meu ales mi-a fost interzis cu desăvârșire. Totodată mi s-a îngrădit accesul la justiție, fiind împiedicată să particip la proces, prin refuzul consemnării declarației reale.

Trebuie menționat că toate aceste îngrădiri la care am fost supusă se datorează și convingerilor mele filozofico-culturale, respectiv a faptului că sunt practicantă yoga.

**Art. 248[1] Cod penal: ABUZ ÎN SERVICIU ÎN FORMĂ CALIFICATĂ**

Agravanta evidențiată de efectele deosebit de grave, irevesibile, care au adus atingere drepturilor inviolabile ale ființei umane, împiedicând dezvoltarea armonioasă a subsemnatei, prin trauma psihică și dezrădăcinarea socială și educațională la care am fost supusă.

**Art.250 Cod penal: PURTAREA ABUZIVĂ** raportat la **Art.267[1] Cod penal: TORTURA** constă în:

Modul insultător în care mi s-a vorbit, violențele la care am fost supusă atât la percheziție, la audierea din 18 martie 2004, la I.M.L la data de 1 aprilie 2004, cât și ulterior, suferințele intense, atât fizice, cât și psihice, modul în care am fost tratată, ca și cum aș fi fost o infractoare care trebuie pedepsită, presiunile și intimidările la care am fost supusă acoperă absolut toate elementele materiale ale acestor infracțiuni în mod

cumulativ şi nu doar în mod alternativ, cum ar fi fost necesar. Infracţiunile au fost realizate în formă continuată.

**Art 266 alin. 1 Cod penal: ARESTAREA, REŢINEREA NELEGALĂ**

Reţinută prima dată pe data de 18 martie 2004, timp de peste 14 ore, subsemnata am fost reţinută apoi peste 4 ore în interiorul I.M.L. pe data de 1 aprilie 2004, după care, împotriva voinţei mele sunt urcată de organele de anchetă în maşină şi transportată cu forţa la Constanţa, unde după o altă perioadă de timp am fost predată familiei.

Infracţiunea a fost săvârşită împotriva subsemnatei în formă continuată.

Conform practicii judiciare -Tribunalul Suprem, Sectia penală, Complet militar, Decizia nr. 42/1973 - s-a decis că: ***"Reţinerea unei persoane fără a exista indicii temeinice că a săvârşit o faptă prevăzută de legea penală şi fără a se fi întocmit ordonanţa de reţinere constituie fapta prevăzută şi pedepsită de art 266 alin 1 Cod penal. Nu are importanţă faptul că persoana nu a fost reţinută peste 24 de ore din moment ce măsura a fost luată fără respectarea condiţiilor legale."***

**Art. 266 alin. 3 Cod penal: CERCETARE ABUZIVĂ** constă în:

Tratamentul cinic şi degradant la care o minoră lipsită de apărare a fost supusă prin ameninţări şi violenţe în scopul de a declara lucruri neadevarate care să ducă la incriminarea unei persoane nevinovate.

Aducerea subsemnatei, minoră la acea dată, în acea stare de spaimă a fost urmărită cu premeditare de către reprezentanţii Parchetului încă din faza percheziţiei în timpul căreia 10 ore am fost torturată, ameninţată, tocmai pentru că astfel, odată dusă cu forţa la Parchet, uşura misiunea procurorului anchetator în a mă determina, prin continuarea utilizării metodelor de mai sus, la care s-au adăugat şi alte violenţe, cum ar fi tragerea de păr, să cedez psihic, şi să declar ceea ce Parchetul dorea. Pentru asigurarea succesului acestei acţiuni mi-a fost respinsă cererea de a fi asistată de un avocat, deşi eram minoră şi am solicitat în mod expres prezenţa unuia.

**Art.289 Cod penal: FALSUL INTELECTUAL** constă în aceea că d-na locotenent RAICU ALINA, ofiţer psiholog din Batalionul Special al Jandarmeriei Române, aflându-se în exercitarea atribuţiunilor de serviciu, a întocmit Raportul nr. 169795/2004, înscris în care a atestat fapte şi împrejurări necorespunzătoare adevărului şi în care a omis, cu ştiinţă, să insereze datele şi împrejurările reale ale audierii.

**Art. 291 Cod penal: UZUL DE FALS** constă în aceea că procurorii anchetatori şi procurorii George Bălan şi Anton Chaborschi au utilizat ca material probator Raportul nr.169795/2004, în vederea producerii consecinţelor juridice de validare a consimţământului subsemnatei minore cu privire la declaraţia luată sub presiune.

În fapt s-a acţionat de la început în baza aceleiaşi rezoluţii infracţionale care pentru data de 18 martie 2004 a avut ca scop şi punct central obţinerea prin orice mijloace şi cu orice preţ a unei declaraţii acuzatoare la adresa domnului Gregorian

Bivolaru pentru ca acesta să poată fi arestat, iar cei care au participat la aceasta infracţiune complexă au calitatea de coautori.

Aceste fapte ale organelor de anchetă îi descalifică iremediabil pe cei care le-au comis, arătând până unde te poate coborî aservirea politică, complicitatea dintre autorităţi şi o parte a mass-medici, relevând incapacitatea acestora de a se ridica la pretenţiile unei administrări a justiţiei la standarde europene.

În dovedirea acestei plângeri solicit admiterea probei cu casete audio-video, înscrisuri şi martori.

Faţă de aceste aspecte, vă solicit trimiterea în judecată a celor vinovaţi de săvârşirea infracţiunilor descrise mai sus, persoane care nu trebuie să se considere şi să acţioneze ca şi cum ar fi mai presus de Lege.

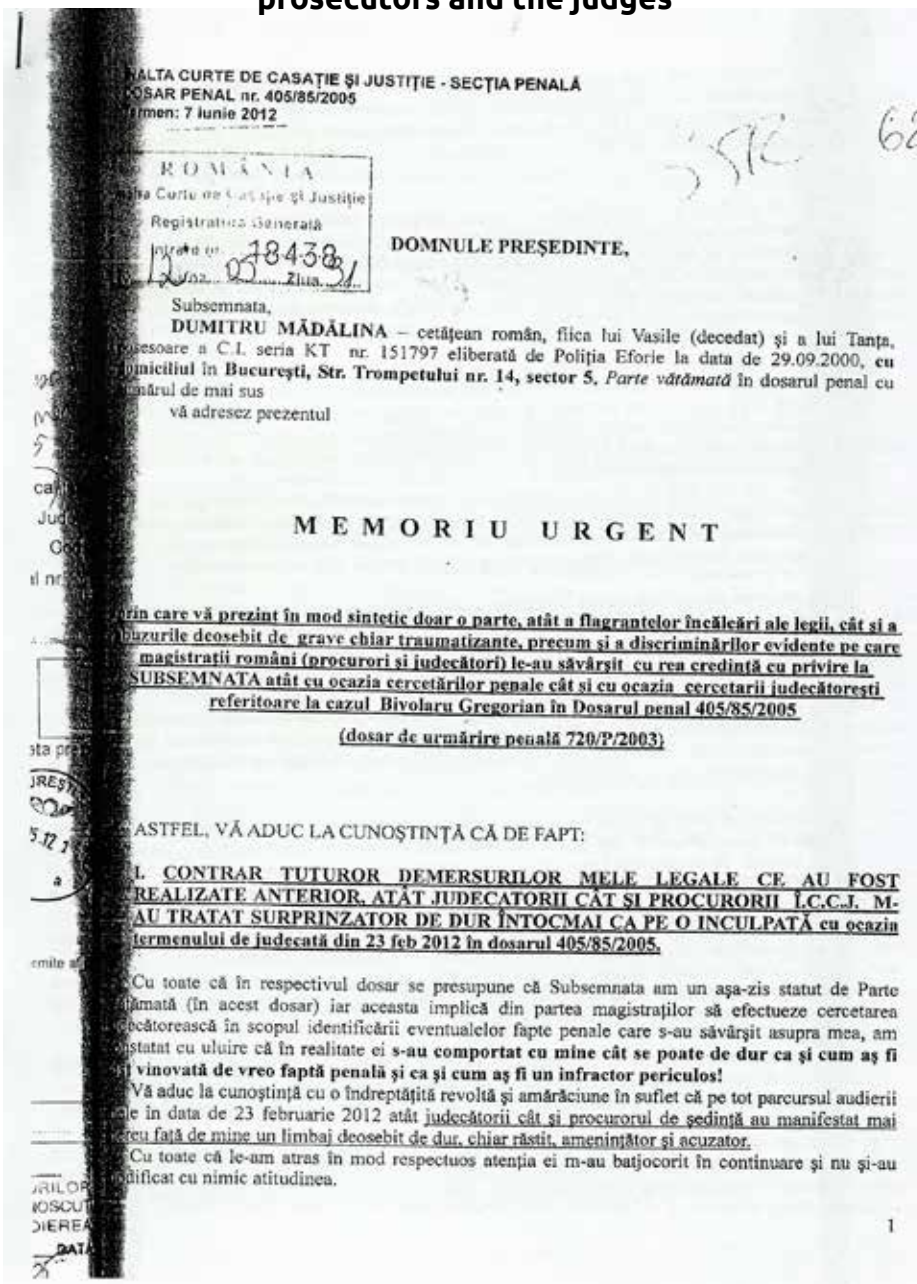
**Data: 23.02.2005**

**Semnătura,**
**DUMITRU MĂDĂLINA**

MINISTERUL PUBLIC
Parchetul de pe lângă I.C.C.J.
Secția Relații cu Publicul, Secretariat și
Ec...o... - Administrativă
Serviciul Relații cu Publicul și Secretariat
Nr. 3637
Anul 2007 Luna Feb. Ziua 23

Scrisoare

**Urgent memorandum addressed to the President of the Court of Justice that was formulated against the prosecutors and the judges**



ÎNALTA CURTE DE CASAȚIE ȘI JUSTIȚIE - SECȚIA PENALĂ
DOSAR PENAL nr. 405/85/2005
Termen: 7 iunie 2012

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ROMÂNIA
Înalta Curte de Casație și Justiție
Registratura Generală
Intrare nr. 18438
Ziua 31

**DOMNULE PREȘEDINTE,**

Subsemnata,
**DUMITRU MĂDĂLINA** – cetățean român, fiica lui Vasile (decedat) și a lui Tanța, posesoare a C.I. seria KT nr. 151797 eliberată de Poliția Eforie la data de 29.09.2000, **cu domiciliul în București, Str. Trompetului nr. 14, sector 5**, *Parte vătămată* în dosarul penal cu numărul de mai sus
vă adresez prezentul

# MEMORIU URGENT

**prin care vă prezint în mod sintetic doar o parte, atât a flagrantelor încălcări ale legii, cât și a abuzurile deosebit de grave chiar traumatizante, precum și a discriminărilor evidente pe care magistrații români (procurori și judecători) le-au săvârșit cu rea credință cu privire la SUBSEMNATA atât cu ocazia cercetărilor penale cât și cu ocazia cercetarii judecătorești referitoare la cazul Bivolaru Gregorian în Dosarul penal 405/85/2005**

**(dosar de urmărire penală 720/P/2003)**

ASTFEL, VĂ ADUC LA CUNOȘTINȚĂ CĂ DE FAPT:

**I. CONTRAR TUTUROR DEMERSURILOR MELE LEGALE CE AU FOST REALIZATE ANTERIOR, ATÂT JUDECATORII CÂT ȘI PROCURORII Î.C.C.J. M-AU TRATAT SURPRINZATOR DE DUR ÎNTOCMAI CA PE O INCULPATĂ cu ocazia termenului de judecată din 23 feb 2012 în dosarul 405/85/2005.**

Cu toate că în respectivul dosar se presupune că Subsemnata am un așa-zis statut de Parte vătămată (în acest dosar) iar aceasta implică din partea magistraților să efectueze cercetarea judecătorească în scopul identificării eventualelor fapte penale care s-au săvârșit asupra mea, am constatat cu uluire că în realitate ei **s-au comportat cu mine cât se poate de dur ca și cum aș fi fost vinovată de vreo faptă penală și ca și cum aș fi un infractor periculos!**
Vă aduc la cunoștință cu o îndreptățită revoltă și amărăciune în suflet că pe tot parcursul audierii mele în data de 23 februarie 2012 atât judecătorii cât și procurorul de ședință au manifestat mai mereu față de mine un limbaj deosebit de dur, chiar răstit, amenințător și acuzator.
Cu toate că le-am atras în mod respectuos atenția ei m-au batjocorit în continuare și nu și-au modificat cu nimic atitudinea.

1

Vă mărturisesc că pe parcursul audierii mele toți aceștia au alternat atitudinea ofensiva și chiar brutală, cu una plină de amuzament disprețuitor și chiar de ironie la adresa Subsemnatei. Culmea acestui comportament a fost că în câteva rânduri procuroarea de ședință care îmi punea întrebări, chiar mi s-a adresat, nu înțeleg din ce cauza cu apelativul : *„Învinuita"*. Vă întreb cu această ocazie cum s-a produs această bizară modificare ce a făcut să ajung din parte vătămată o „Învinuită"? 6

Un abuz foarte grav și inadmisibil este totodată acela că deși am solicitat prin avocatul angajat nu fiu audiată în ședință publică (deoarece în permanență presa m-a atacat și m-a calomniat în fel chip chiar și atunci când încă eram minoră), aceștia nu au luat în considerație cererea mea legală mi-au pus o serie de întrebări intime despre viața mea personală și sexuală din perioada minoratului de față cu toată lumea ce era prezentă în sala de judecată (inclusiv cu reprezentanții sei care apoi au speculat într-un mod abject această situație).

Cu toate că am solicitat prin viu grai (oral), în timpul ședinței de judecată, prin avocatul angajat, să nu mai fiu audiată într-un mod atât de agresiv ca și cum aș fi anchetată pentru vreo faptă grală și cu toate că am subliniat că aștept de la magistrații Curții Supreme din România să fiu audiată măcar într-un mod civilizat și cu imparțialitate, în virtutea principiilor deontologice și a distanței ce trebuie să fie specifică acestei profesii și cu toate că am arătat în mod ferm că nu resc să fiu transformată împotriva voinței mele într-un instrument de inculpare a părților din ar (care s-ar fi făcut împotriva voinței mele), am fost șocată să constat că **aceștia au continuat se comporte față de mine mai rău ca niște procurori anchetatori. Toate acestea au recreat mosfera de teroare, de umilire, de șantaj, de abuz și de hărțuire care s-a exercitat ore în șir upra mea de către autorități încă din data de 18 martie 2004 și chiar ulterior.**

**Datorită acestui tratament traumatizant și inadmisibil mărturisesc că mi-au fost reactivate chiar amplificate toate stările de spaimă, de teamă, de anxietate apăsătoare, și chiar de sperare ce mi-au fost declanșate încă din data de 18 martie 2004 și care au fost întreținute autorități chiar și ulterior aproape pe întreaga perioadă a acestui proces penal în care am t târâtă fără voia mea.**

**toate că am facut mai multe memorii în care am arătat toate aceste ilegalități și abuzuri ave, vă aduc la cunoștință că niciodată până în prezent nu mi s-a răspuns așa cum era legal resc la nici una dintre ele. Am constatat în felul acesta că legile acestei țări sunt încălcate în d flagrant în ceea ce mă privește.**

**Vă mărturisesc că în urma acestei audieri ce a fost realizată în 23 februarie 2012, am uns să plâng adeseori, am grave insomnii, sunt permanent înfricoșată chiar și atunci când e necesar să ies pe stradă sau atunci când trebuie să merg în locuri publice. În urma acestei dieri în presă au apărut din nou referiri batjocoritoare la adresa mea fapt care m-a făcut să simt supusă oprobiului public și hărțuielii. Am ajuns să-mi fie cumplit de frică de orice fel autoritate publică, tremur violent atunci când văd un polițist și nu mai am deloc încredere n această țară, în România se respectă legea și se înfăptuiește justiția.**
**Dată fiind această situație deosebit de gravă, am ajuns să-mi pun problema că trebuie să părăsesc această țară și să îmi caut liniștea și dreptatea în altă parte, cerând eventual azil olitic deoarece nu mai suport această situație.**

Din cauza acestor stări de tulburare psihică ce m-au acaparat la scurt timp după aceea am fost voită să apelez la consultații medicale de specialitate: psihiatrice și psihologice. Toate acestea m-costat bani și chiar a trebuit să fac unele împrumuturi căci posibilitățile mele financiare sunt deste.
Arăt că prin **Raportul nr. 612/01.03.2012** al medicului primar psihiatru H.C. rezultă că subsemnata DUMITRU MĂDĂLINA sunt diagnosticată cu *„episod depresiv sever fără simptome otice"*. Medicul a mai consemnat de asemenea că: *" Psihotrauma este reprezentată de anchete,*

*de modalitatea de ancheta, de procese, de prezentari în instanţă (.....) Manifestarile fobice sunt determinate de amintirile, reprezentările obsesive traumatizante ale evenimentelor trecute. (.....). Întâlnirea cu aceste persoane ("care poartă uniformă") determină instalarea bruscă a atacului de panică, (....) a manifestărilor neuro-vegetative".*

Suplimentar citez din **Raportul nr. 106/ 01.03.2012** al psihologului clinician R.C. din care rezultă că, în urma interviului realizat, „DUMITRU MĂDĂLINA *a trecut în urmă cu câţiva ani (martie 2004) printr-o situaţie traumatizantă atât fizic, cât şi emoţional (.....). Din punct de vedere comportamental şi expresiv se constată că: - solicită continuu şi insistent ajutor, prezenţa soţului (îl ţine de mână), este tensionată, faciesul exprima frică, spaimă, teroare, în raport cu evenimentele trăite traumatic (...)* " În încheiere psihologul respectiv concluzionează *că: "Reducerea stimei de sine şi stările de ruşine trăite, au condus la sentimentul de dezonoare, la convingerea pacientei că alte persoane nu o vor mai respecta, trăind stari de gol interior, de retrargere, izolare".*

## II. CÂTE CEVA ATÂT DESPRE CONTEXTUL CÂT ŞI DESPRE ABUZURILE ÎN URMA CĂRORA AM FOST TRANSFORMATĂ FĂRĂ VOIA MEA DE CĂTRE AUTORITĂŢI, ÎNTR-O AŞA-ZISĂ VICTIMĂ A LUI BIVOLARU GREGORIAN:

**IATĂ CE MI S-A FĂCUT ÎN DATA DE 18.03.2004** cu ocazia descinderilor în forţă a peste 100 de jandarmi şi 16 procurori în mai multe proprietăţi private ale cursanţilor/ simpatizanţilor asociaţiei non-profit MISA.

- Mărturisesc că atunci a fost percheziţionat şi imobilul în care mă aflam din **Bucureşti,** în **str. Vasile Grozavu nr. 2, sector 5.**
- A fost cumplit când am fost trezită bruse din somn datorită escaladării şi a pătrunderii prin spargerea uşilor şi a ferestrelor de către mascaţi care au năvălit în imobilul respectiv şi m-au smuls din pat cu forţa eu fiind sumar îmbrăcată (în ţinută de noapte), apoi am fost agresată fizic şi verbal de către jandarmi şi mai mult decât atât am fost filmată cu forţa de către cameramanul Parchetului (iar ulterior filmarea respectivă a fost difuzată pe posturile de televiziune din România încălcându-se în felul acesta legea care prevede că minorii nu au voie să fie filmaţi şi difuzaţi pe postul de televiziune aşa cum s-a făcut atunci cu mine). Imediat după aceea am fost ameninţată, am fost ţinută de jandarmi cu arma de foc la tâmplă, nu am fost lăsată să mă îmbrac, nu am fost lăsată să mănânc şi mi s-a interzis chiar să şi beau apă. Toate acestea au durat peste 12 ore şi nu am înţeles niciodată care era motivul pentru care trebuia să fiu chinuită şi tratată în acest mod inuman ca pe vremea fasciştilor.
- Cu ocazia respectivă, în timpul percheziţiei mi-au fost ridicate aproape toate bunurile personale fără a fi prezentate Subsemnatei spre identificare şi nu au fost înregistrate şi semnate de mine personal spre neschimbare. Ulterior am aflat că toate acestea nu aveau nicio legătură cu dispoziţiile din autorizaţia de percheziţie ce fusese semnată de judecător Lia Savonea; la capătul celor 12 ore am fost târâtă la Parchetul de pe lângă Curtea de Apel Bucureşti ( şi este necesar să menţionez că la data respectivă nu am ştiut unde am fost dusă), iar acolo am fost reţinută în continuare cu forţa alte zeci de ore în şir fără nici un fel de mandat de reţinere şi fără a exista o citaţie (ţin să precizez că anterior Subsemnata nu am efectuat niciodată nici un fel de Plângere penală/civilă/administrativă împotriva lui Bivolaru Gregorian sau împotriva oricărui reprezentant MISA).
- **În continuare am fost apoi obligată de anchetatori prin şantaj şi ameninţări evidente să dau o declaraţie ce era falsă şi care nu concordă în nici un fel cu realitatea şi mi-a fost încălcată voinţa. Cu aceea ocazie am declarat de frică, contrar adevarului că aş fi întreţinut relaţii sexuale cu Bivolaru Gregorian şi chiar am mintit că acesta mi-a fost profesor la cursurile de yoga. Aspect care nu a fost şi nu este adevarat (de altfel toate acestea pot fi verificate cu uşurinţă şi dacă se vor analiza declaratiile pe care am fost**

**silită să le dau se vor constata neadevărurile flagrante pe care am fost forţată să le declar).** Arăt că în acest scop am fost chiar ameninţată şi şantajată de către organele de anchetă care au spus că dacă nu am să scriu ceea ce mi se dictează voi fi închisă în celulă, lipsită de libertate pe termen nelimitat şi mi s-a insinuat că în plus vor fi aplicate rele tratatamente atât familiei cât şi cunoscuţilor mei. În plus arăt că am fost agresată fizic, pălmuită, trasă de păr şi chiar constrânsă psihic de către ofiţerul psiholog lt.Raicu Alina care a asistat la audierea mea.

- Cu toate că am cerut, nu mi s-a permis să fiu asistată şi nici reprezentată juridic de niciun avocat, chiar dacă am solicitat insistent aceasta în mai multe rânduri şi ulterior am aflat că avocatul pe care doream să-l angajez sosise deja acolo la Parchet dar nu i s-a permis să vină să mă asiste;
- Declar că în acel context nu mi s-a adus la cunoştiinţă, cauză pentru care eram forţată să dau declaraţii, nu mi s-a comunicat în ce calitate dau acele declaraţii false şi nici nu mi s-au enunţat care îmi sunt drepturile legale.

**IATĂ CE MI S-A FĂCUT ÎN DATA DE 1.04.2004:**

- Am intenţionat să dau şi chiar să depun o declaraţie în Dosarul nr.720/P/2003 în prezenţa avocatului ales. Cu acea ocazie am constatat cu uluire că mi-a fost refuzată declaraţia legală de către procurorii Cerbu Viorel şi Chaborschi Anton Grigore – care erau procurori anchetatori din cadrul Parchetului de pe lângă Curtea de Apel Bucureşti. Mai mult decât atât, cu acea ocazie am fost reţinută la Parchet şi invocându-se un mandat de aducere (cu toate că în realitate eu mă prezentasem din proprie iniţiativă la sediul Parchetului), procurorii au dispus să mi se efectueze contra voinţei mele o expertiză medico-legală genitală şi chiar anală la IML. Cu toate că nu doream să fiu supusă la toate acestea am fost totuşi forţată să mă deplasez la IML sub o escortă ce era formată din mai multe maşini ale Poliţiei ce erau coordonate de inspectorul de poliţie Ilieş Dumitru.
- De îndată ce am fost dusă cu forţa la Institutul Medico-Legal "Mina Minovici" (având noroc că am fost totuşi însoţită de avocatul ales), am fost reţinută în continuare cu forţa şi s-au exercitat asupra mea presiuni fizice şi psihice unele dintre ele extrem de traumatizante. Cu acea ocazie am trăit o stare de frică cumplită atunci când am văzut că uşile spitalului au fost blocate şi flancate de către poliţişti, am fost reţinută cu forţa circa 4 ore în incinta institutului, am fost îmbrâncită, pălmuită, agresată fizic şi psihic de către Ilieş Dumitru şi de către alţi lucrători ai Poliţiei în încercarea disperată a acestora de a mă forţa cu orice preţ să efectuez respectiva expertiză. Datorită stării de teroare ce s-a exercitat asupra mea, m-am împotrivit să accept acea expertiză care era evident că mi se făcea cu forţa.
- În jurul orelor 17.00 am fost obligate (atât eu cât şi avocatul ales) de către forţele speciale ale Poliţiei, din cadrul S.P.I.R. să intrăm într-o dubă a Poliţiei. Cu acea ocazie, avocatul meu a fost insultat, batjocorit şi agresat fizic. După aceea am fost transportate în stare de reţinere cu mare viteză (fiind chiar îndepărtate prin megafon şi sirenă toate automobilele din trafic), către Poliţia Capitalei, unde Subsemnata am fost reţinută fără mandat de arestare contra voinţei mele mai multe ore în şir;
- Fiind în continuare în stare de reţinere am fost apoi deplasată într-o dubă, în forţă şi contrar voinţei mele, în oraşul Constanţa unde am fost cazată forţat de către organele de cercetare penală la familia surorii mele Iordache Florentina şi Iordache Marian.

**IATĂ CE MI S-A FĂCUT ÎN DATA DE 01.04.2004-06.04.2004:**

Pe parcursul acestor zile şi nopţi am fost lipsită de libertate în mod ilegal, am fost trată la domiciliu, am fost traumatizată, ameninţată şi terorizată: mi s-a interzis să am orice

legătură cu exteriorul, şi mai mult decât atât am fost păzită permanent de lucrători ai Poliţiei şi de organe SRI care şedeau în permanenţă în faţa porţii sau patrulau pe stradă. Toate acestea mi-au provocat o stare de teroare acută căci mă simţeam ca şi cum aş fi fost la închisoare. În zilele care au urmat am fost bătută de rude, ţinută nemâncată (zicese pentru a mi se băga minţile în cap) şi am fost hărţuită sexual de cumnatul meu Iordache Marian (care a ajuns să-mi spună „Nu mai face pe sfânta cu mine lasă-mă să te pipăi"). Cu acea ocazie nimeni dintre cunoscuţii mei: logodnicul Domoş Remus Dumitru), cât şi prietenii sau avocatul ales nu au ştiut unde am fost dusă fiind sechestrată şi lipsită de libertate într-un mod ilegal.

**IATĂ CE MI S-A FĂCUT ÎN PERIOADA 07.04.2004-22.04.2004:**

- Direcţia pentru Protecţia Copilului Constanţa în colaborare cu reprezentanţii Parchetului şi ai Poliţiei m-au încredinţat contrar voinţei mele familiei Iordache Florentina şi Iordache Marian.
- Cu acea ocazie arăt că am fost ţinută în continuare sechestrată la domiciliul acestora, fără acte de identitate, fără lucruri personale, fără să pot lua legătura cu nimeni din exterior şi fiind în permanenţă păzită de lucrători ai Poliţiei şi SRI;
- **CU TOATE CĂ AM CERUT SĂ MĂ ÎNTORC LA ŞCOALĂ, NU MI S-A MAI PERMIS SĂ URMEZ CURSURILE LICEALE SUBSEMNATA FIIND PE ATUNCI ELEVĂ ÎN CLASA A XI-A LA LICEUL ECONOMIC « VIILOR » DIN BUCUREŞTI, ULTERIOR AM FOST CHIAR EXMATRICULATĂ DIN CAUZA ABSENŢELOR PE CARE LE-AM AVUT DATORITĂ FAPTULUI CĂ AM FOST SECHESTRATĂ LA DOMICILIU CONTRAR VOINŢEI MELE.**
- În data de 15 aprilie 2004, atât logodnicul cât şi câţiva prieteni, în încercările eşuate de a lua legătura cu mine, m-au văzut, prin gardul casei respective, în timp ce eram bătută de cumnatul meu în timp ce soţia acestuia şi sora mea asistau la toate acestea.
- Datorită tratamentului inuman la care am fost supusă cu acea ocazie am fugit de la locul unde eram sechestrată în data de 23 aprilie. Cu acea ocazie autorităţile au anunţat că Subsemnata, profitând de un moment de neatenţie al supraveghetorilor (?!!), am fugit de acasă şi cu toate că nu există niciun temei legal pentru aceasta am fost totuşi dată în urmărire generală şi chiar în consemn la frontieră; consemnul la frontieră s-a menţinut până la sfârşitul lunii decembrie 2004;
- DATORITĂ FAPTULUI CĂ ÎNREGISTRAREA VIDEO CU MINE ÎNTR-O IPOSTAZĂ INADMISIBILĂ CU OCAZIA PERCHEZIŢIEI A FOST CONTRAR LEGILOR ÎN VIGOARE DIFUZATĂ PE TOATE POSTURILE DE TELEVIZIUNE, AM FOST APOI SUPUSĂ OPROBIULUI PUBLIC ŞI DISPREŢULUI ATÂT AL COLEGILOR MEI DE ŞCOALĂ CÂT ŞI A PROFESORILOR, A UNOR PRIETENI CARE NU ÎNŢELEGEAU CE S-A PETRECUT, A FAMILIEI, A RUDELOR ŞI CHIAR A SOCIETĂŢII CIVILE CARE APOI ÎN PERMANENŢĂ M-A DEZAVUAT, M-A BATJOCORIT ŞI CHIAR M-A MARGINALIZAT. (CU TOATE CĂ A FOST SĂVÂRŞIT UN GRAV ABUZ ÎN SENSUL CĂ FĂRĂ DREPT AU FOST DIFUZATE PE POST ACELE IMAGINI CU MINE ÎN CHILOŢI AŞA CUM MĂ AFLAM ATUNCI CÂND AM FOST TÂRÂTĂ ŞI ZVÂRLITĂ DIN PAT, NIMENI NU A FOST TRAS LA RĂSPUNDERE PENTRU ACEASTĂ GRAVĂ ILEGALITATE CARE MI-A DISTRUS APOI VIAŢA ).

**IATĂ CE AM MAI PĂTIMIT ÎNCEPÂND CU DATA DE 18.03.2004 ŞI PÂNĂ ÎN PREZENT:**

- **printr-o serie de acţiuni ce erau complet ilegale, lipsite de orice etică sau conduită profesională, şi care mai mult decât atât încalcă grav Codul deontologic al magistraţilor, procurorii care au instrumentat acest caz au înmânat totuşi reprezentanţilor presei scrise cât şi posturilor de radio şi televiziunilor din România materiale audio- video cât**

şi felurite înscrisuri privind-o pe Subsemnata şi care au fost ridicate cu ocazia percheziţiei de la mine şi apoi au fost depuse la Dosarul de urmărire penală nr.720/P/2003. Cu toate că acţiunile lor au reprezentat grave încălcări ale legii, casetele video ce au fost înregistrate cu ocazia percheziţiei, cât şi fotografii cu Subsemnata, unele înscrisuri intime şi chiar unele manuscrise, precum şi felurite obiecte personale, imagini private audio-video; împreună cu informaţii ce erau legate de viaţa mea privată, familială şi şcolară (inclusiv situaţia şcolară, foaia matricolă, etc. etc.) au fost puse la dispoziţia mass-media şi toate acestea au făcut ca viaţa mea în această ţară să devină un calvar. Atunci când ieşeam pe stradă eram imediat recunoscută, arătată cu degetul, batjocorită şi insultată. Spre uluirea mea am avut ocazia să constat că însuşi Procurorul General al Parchetului Curţii de Apel Bucureşti care la acea vreme, era domnul George Bălan, a apărut în faţa camerelor de filmat şi în legatură cu materialul probator ce a fost pus în mod ilegal la dispoziţia mass-mediei de către subalternii dumnealui, a declarat cu impertinenţă în faţa posturilor de televiziune care îl filmau, că: *"sunt sigur că şi mass-media va fi mai mult decât interesată"*.

**III. SINTEZA DEMERSURILE JURIDICE CE AU FOST EFECTUATE DE SUBSEMNATA PENTRU A RECLAMA ABUZURILE PE CARE LE-AM SUFERIT DIN PARTEA AUTORITĂŢILOR ŞI CARE PRINTRE ALTELE VIZAU DEMASCAREA FALSELOR DECLARAŢII CE MI-AU FOST SMULSE CU FORŢA PRIN ŞANTAJ ŞI AMENINTARE ÎN DATA DE 18.03.2004:**

- Declaraţia pe care am dat-o în data 14.08.2003 la Poliţia din Costineşti - *prin care cu aproape 1 an înainte de declanşarea anchetei din 18 martie 2004 Subsemnata am arătat în faţa organelor de poliţie faptul că nu am avut si nu am niciun fel de legătură sau relaţie de natură sexuală sau de altă natură cu BIVORLARU GREGORIAN!!!* **Cu toate acestea, - am fost uluită să constat – că fără să se ţină cont de respectiva declaraţie pe care am dat-o cu acea ocazie şi care era oficială, organele statului m-au târât ulterior fără voia mea în acest proces penal absurd şi care s-a dovedit a fi profund vătămător pentru mine din toate punctele de vedere!!!**
- Declaraţie olografă având numărul de primire 445 din data de 19.03.2004 ce a fost redactată şi semnată de Subsemnata în Dosarul penal nr.720/P/2003 prin care îmi retrăgeam declaraţia falsă pe care am fost obligată să o dau în 18.03 şi prin care contestam modalităţile abuzive în care am fost audiată de către organele de anchetă. Cu toate că respectiva declaraţie olografă din data de 19.03 2004 ar fi trebuit să apară aşa cum este firesc la dosarul cauzei ea a dispărut nu se ştie unde. **Culmea este că deşi respectiva declaraţie nu se regăseşte nici până în prezent la dosarul cauzei, cu toate acestea, paradoxal, procurorul Bălan George depune la dosar o rezoluţie de respingere a acesteia!!! La întrebarea cum este cu putinţă toate acestea răspunsul este simplu: ROMÂNIA ESTE ŞI RĂMÂNE DIN NEFERICIRE ŢARA TUTUROR ILEGALITĂŢILOR CARE PERSISTĂ DIN NEFERICIRE ÎN JUSTIŢIE**
- Plângere Penală împotriva procurorului Bălan George ce a fost înregistrată de Parchetul de pe lângă Î.C.C.J sub nr.3639/23.02.2005. cu toate acestea nu **am fost niciodată audiată în urma plângerii mele legale în cauză. Nu am primit niciun răspuns şi este evident că nu a fost dată nicio soluţie la această plângere a mea.**
- Plângere Penală împotriva procurorilor Bălan George, Chaborschi Grigore Anton, Cerbu Viorel, Nica Andreea, precum şi inspectorului de poliţie Ilieş Dumitru, a psihologului lt. Raicu Alina, a jandarmilor şi a poliţiştilor, ce a fost înregistrată de Parchetul de pe lângă Î.C.C.J sub nr.3637/ 23.02.2005. **Arăt că nici aici nu am fost audiată niciodată în această cauză. Nu mi s-a dat niciun răspuns la respectiva plângere! Şi niciodată după aceea nu**

**am primit nicio soluţie.**

- Memoriu de declanşare a acţiunii disciplinare împotriva magistraţilor în cauză care a fost înregistrat de Parchetul de pe lângă Î.C.C.J sub nr.3641/ 23.02.2005, şi către Ministerul Justiţiei sub nr.19035 şi de asemenea către Consiliul Superior al Magistraturii sub Nr. 2677/SR. **Arăt că nu am fost audiată în niciuna dintre plângerile formulate, nu mi s-a dat niciodată posibilitatea să exprim oral cele prezentate în Plângerile respective , şi nu mi s-a creat posibilitatea să administrez sau să utilizez anumite probe. Nu am primit niciun răspuns la niciuna dintre aceste plângeri. Nu am primit apoi nicio soluţie.**
- Declaraţie ce a fost dată în faţa avocatului Moisei Daniel din cadrul Baroului de avocaţi Teleorman în data de 29.03.2004, având nr. de atestare nr.1/2004, prin care am arătat modul violent şi abuziv în care am fost supusă unei percheziţii domiciliare în data de 18.03.2004, după care am fost dusă la Parchet şi obligată să dau declaraţii mincinoase în data de 18 martie fiind constrânsă să fac toate acestea contra voinţei mele;
- Contestaţie ce a fost formulată de Dumitru Mădălina împotriva Hotărârii nr.696/07.04.2004 ce viza Direcţia Judeţeană de Protecţie a Copilului prin care ea arăta că a fost luată de sub ocrotirea mamei sale şi plasată forţat la familia sorei sale, fiindu-i încălcate într-un mod abuziv toate drepturile legale în acest domeniu;
- Certificat medico-legal nr. 2214/S din 22.12.2004 privind pe Dumitru Mădălina eliberat de Serviciul de medicină legală Constanţa din care reiese examenul clinic al perineului post (rect perineal şi orificiu)
- Declaraţie de parte-vătămată formulată de Dumitru Mădălina în 18.05.2006 în Dosarul nr.17/P/2004 al Secţiei unite al Parchetelor Militare împotriva jandarmilor, poliţiştilor, procurorilor şi organelor de anchetă care au audiat-o şi au cercetat-o în mod abuziv şi violent în data de 18.03.2004 şi următoarele;
- Înscris olograf intitulat «Declaraţie» ce a fost formulată de Dumitru Mădălina în 26.06.2007 către Poliţia staţiunii Costineşti, în care am relatat despre agresiunile fizice şi psihice la care am fost supusă atât de către membrii familiei sorei sale Iordache Florentina, cât şi de organele de anchetă şi presă şi am solicitat să nu mai fiu hăituită şi urmărită de către poliţie, presă, etc. întrucât este majoră şi nu se mai află sub custodia nimănui.
- Plângeri penale împotriva martorelor IORDACHE FLORNETINA şi ILIE LUMINIŢA pentru săvârşirea de către acestea a infracţiunii de mărturie mincinoasă atât cu ocazia instrumentării dosarului de urmărire penală 720/P/2003 cât şi în faza de judecată. Vă aduc la cunoştinţă că, încă de când am fost audiată ca şi parte vătămată în faţa tribunalului de la Sibiu, am reclamat numeroasele afirmaţii mincinoase şi chiar aberaţii spuse de surorile mele cu ocazia audierii lor ca şi martore atât în faza de urmărire penală, cât şi în faţa instanţei de judecată. Cu această ocazie d-na judecător mi-a spus că am posibilitatea ca să efectuez, printr-o acţiune separată, plângere penală împotriva lor, ceea ce am şi făcut. Atât eu, cât şi surorile mele am fost audiate de Secţia 1 Poliţie Constanţa, iar eu am arătat cu dovezi nenumărate, gravele afirmaţii neadevărate pe care acestea le-au efectuat cu privire la mine şi la BG în acest dosar. Am arătat cum ele au făcut aceste afirmaţii numai ca să fabrice împreună cu procurorii anchetatori un dosar nedrept în care eu am fost transformată în parte vătămată împotriva voinţei mele. Dovezile depuse la Poliţia din Constanţa au fost atât de evidente încât până şi poliţiştii de acolo au comentat şi au spus că ştiu despre gravele abuzuri şi ilegalităţi care s-au făcut în acest dosar şi au observat şi dumnealor cât de neadevărate, contradictorii şi fantasmagorice sunt declaraţiile de martor ale surorilor mele. Cu toate acestea, când dosarul a ajuns pe masa procurorilor acesta a fost închis, la presiunea procurorilor de la Bucureşti care au intervenit ca în această cauză să se dea, în mod ilegal, neînceperea urmăririi penale.

Interviu acordat cercetătorului, prof. dr. Gabriel Andreescu - ce este sintetizat în Raportul Apador CH - Comitetul Helsinki - 2005,

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Declarație de martor în fața CURȚII SUPREME DE LA STOCKHOLM –Suedia din 21.10.2005 în care Subsemnata Dumitru Mădălina am fost audiată ca martor cu ocazia analizării de către Instanța Supremă a cererii de extrădare a inculpatului Bivolaru Gregorian.

**Spre uimirea mea în pofida tuturor acestor demersuri legale pe care le-am făcut în toți acești ani, niciunul dintre reprezentanții statului român ce era abilitat cu cercetarea și soluționarea în termen a gravelor abuzuri și ilegalități ce au fost reclamate de Subsemnata nu a efectuat nici cel mai mic act de investigare sau de protejare a mea împotriva tuturor promisiunilor, abuzurilor, umilințelor, a traumatizării mele de către procurorii și polițiștii anchetatori.**

**Singura excepție au fost unele promisiuni ce mi s-au făcut cu ocazia reclamației pe care am făcut-o în cadrul secției unite a Parchetelor Militare dar care nu a fost după aceea urmată de anchetarea celor care au săvârșit toate aceste abuzuri și ilegalități.**

**În schimb am fost uluită să constat că singură, Curtea Supremă din Suedia a avut un comportament just, obiectiv și ireproșabil din punct de vedere deontologic față de cele declarate. Judecătorii Curții Supreme din Suedia au concluzionat apoi în Decizia lor:** „MD (Mădălina Dumitru) a creat impresia unei persoane demne de încredere și informațiile date de ea despre circumstanțele arestării și interogării ei din 18 martie 2004 este susținută cu dovezi certe din investigații (...). **Informațiile furnizate de către MD subrezesc serios credința în acuzația formulată împotriva lui GB de a fi abuzat sexual de aceasta**".

**ÎN CONCLUZIE:**

**Având în vedere faptele deosebit de grave și abuzurile flagrante pe care le-am relatat mai sus, afirm că întregul proces penal ce a fost declanșat din anul 2004 și până în prezent a afectat într-un mod profund și foarte grav viața Subsemnatei DUMITRU MĂDĂLINA (care la acel când a fost declanșat respectivul proces era minoră la acea dată), motiv pentru care îmi dau de bună voie și nesilită de nimeni că nu mai vreau de acum înainte să particip la niciun proces și vreau să fiu de acum încolo lăsată în pace.**

**În măsura în care considerați că există justiție în România cer în continuare să se dispună cercetările legale împotriva tuturor acelora care au săvârșit aceste grave ilegalități și abuzuri contra mea. Afirm cu tărie aceasta chiar dacă știu că în realitate nu se va face niciodată dreptate și nimeni dintre cei care au săvârșit aceste grave infracțiuni nu va fi tras vreodată la răspundere. Am fost silită să constat că în România justiția este tributară bunului plac al celor care împart fără încetare doar nedreptățile în această țară. Din nefericire m-am convins pe propria mea piele că aceasta este justiția în România.**

Cu toate că la început așa ceva îmi era imposibil să cred, în decursul anilor am fost silită să constat că în dorința furibundă de a-l incrimina cu orice preț pe inculpatul Bivolaru Gregorian cele de anchetă și chiar instanța de la ICCJ au exercitat presiuni de o intensitate foarte mare și traumatizantă asupra mea.

Cu participarea tacită a procurorilor, ai altor lucrători ai Parchetului, ai Jandarmeriei, ai poliției, ai Serviciului Român de Informații, și chiar a judecătorilor, Subsemnata am fost reținută cu forța, am fost constrânsă să dau declarații false și am fost lipsită de libertate în mod ilegal. În mai multe rânduri am fost agresată fizic și psihic și am suferit o mulțime de traume am fost umilită pe

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drept am suportat abuzuri deosebit de grave, am ajuns să nu mai pot frecventa școala, am fost silită să mă izolez, și am ajuns să mă aflu într-o stare accentuată de șoc.

Cu toate că am ajuns să fiu numita **„parte vătămată"** la scurt timp după aceea am ajuns să mă victimă a unei justiții absurde represive care își urmărește scopurile ei murdare în acest caz.

**Având în vedere toate acestea consider că autoritățile române se fac din plin vinovate de participarea directă la supunerea mea la tratamente inumane, degradante, la încălcarea flagrantă a drepturilor la: viața privată, la libertate și siguranță personală; la un proces echitabil (toate acestea fiind promulgate și protejate de Convenția Europeană a Drepturilor Omului), pentru mine toate acestea au culminat prin faptul că nu s-au luat niciun fel de măsuri legale ce intră în obligațiile imperative ale statului de a mă proteja de toate aceste abuzuri , de toate aceste ilegalități pentru a nu fi supusă unor astfel de tratamente.**

28.05.2012

*Parte vătămată*
**DUMITRU MĂDĂLINA**

Dumitru M

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**Memorandum addressed to the Minister of Justice that was formulated against the prosecutors and the judges**

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Către MINISTERUL JUSTIŢIEI
ROMANIA, Bucureşti, Str. Apolodor, nr.17, sector 5.

**DOMNULE MINISTRU AL JUSTITIEI**

Subsemnata
**DUMITRU MĂDĂLINA** – cetăţean român, fiica lui Vasile (decedat) şi a lui Tanţa, posesoare a C.I. seria KT nr. 151797 eliberat de Poliţia Eforie la data de 29.09.2000, **cu domiciliul în Bucureşti, Str. Trompetului nr.14 , sector 5**, cu speranta ca dupa 8 ani de zile mi se va face pana la urma dreptate si adevarul va triumfa,
va adresez prezentul

# M E M O R I U

prin care vă prezint in mod sintetic, încălcările flagrante ale legii, abuzurile deosebit de grave si traumatizante, discriminările pe care magistraţii români (procurori si judecători) le-au săvârşit cu privire la SUBSEMNATA cu ocazia cercetărilor penale si a cercetarii judecatoresti a lui Bivolaru Gregorian in Dosarul penal 405/85/2005

(dosar urmărire penală 720/P/2003)

Faţă de cele arătate in cele ce urmează VA SOLICIT SA BINEVOITI A DISPUNE LUAREA DE URGENTA a tuturor masurilor care se impun astfel incat, Subsemnata sa nu mai fiu victima de necontestat a judecatorilor, procurorilor, altor lucratori ai statului care printr-o actiune concertata si profund ilegala m-au tărât fără voia mea încă din perioada minoratului într-un proces penal cu care nu am nici o legatură si care a produs asupra mea consecinte fizice, psihice si sociale deosebit de grave.

Astfel:

III. **I. CONTRAR DEMERSURILOR MELE LEGALE ANTERIOARE JUDECATORII SI PROCURORII ICCJ M-AU TRATAT CA PE O INFRACTOARE la termenul de judecata din 23.feb 2012 in dosarul 405/85/2005.**

Desi se presupune ca Subsemnata am un asa-zis statut de Parte Vatamata in aceasta cauza si se presupune ca magistratii efectueaza cercetarea judecatoreasca cu scopul identificarii eventualelor fapte penale care s-au savarsit asupra mea, acestia, in realitate, **s-au comportat cu mine ca si cum**

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**as fi fost vinovata de vreo fapta penala si ca si cum as fi un infractor periculos.**

Astfel, pe tot parcursul audierii mele in data de 23 februarie 2012 judecatorii si procurorul de sedinta au manifestat fata de mine un limbaj deosebit de dur, chiar rastit si acuzator.

Au alternat atitudinea ofensiva si brutala, cu una plina de amuzament dispretuitor si ironic la adresa Subsemnatei. In catevea randuri procuroarea de sedinta cand imi punea intrebari, chiar mi s-a adresat cu apelativul : *Invinuita*.

Desi am solicitat prin avocat sa nu fiu audiata in sedinta publica acestia mi-au pus o serie de intrebari intime despre viata mea personala si sexuala din perioada minoratului de fata cu toata lumea prezenta in sala de judecata.

Desi am solicitat oral, in timpul sedintei de judecata, prin avocatul ales, sa nu mai fiu audiata atat de agresiv si violent ca si cum as fi anchetata pentru vreo fapta penala si desi am aratat ca astept de la magistratii Curtii Supreme sa fiu tratata cu impartialitatea, formalismul si echidistanta specifica acestei profesii si, mai ales, am aratat ca nu doresc sa fiu transformata intr-un instrument de inculpare cu orice pret a partilor din dosar, **acestia s-au comportat fata de mine ca niste procurori anchetatori. Mi-au creat atmosfera de teroare, umilire, abuz si hartuire care s-a exercitat asupra mea de catre autoritati inca din 18 martie 2004 si ulterior.**

**Subsemnatei mi-au fost reactivate si amplificate starile de teama, spaima, anxietate apasatoare, disperare care mi s-au declansat inca din 18 martie 2004 si care au fost intretinute de autoritati si ulterior pe toata perioada acestui proces penal in care am fost târâtă fără voia mea. Plang in continuu, am insomnii, sunt permanent infricosata cand trebuie sa ies pe strada sau in alte locuri publice. Ma simt supusa permanent oprobiului public si hartuirii. Imi este foarte frica de orice fel de autoritate publica si nu mai am absolut deloc incredere ca in Romania se respecta legea si se infaptuieste justitia. Sunt chiar preocupata sa prasesc aceasta tara si sa imi gasesc linistea si dreptatea in alta parte, cerand eventual azil politic.**

Din cauza tuturor starilor cu care ma confrunt am fost nevoita sa apelez la consultatii medicale de specialitate: psihiatrice si psihologice.

Din **Raportul nr.612/01.03.2012** al medicului primar psihiatru H.C. rezulta ca Subsemnata DUMITRU MADALINA sunt diagnosticata cu *episod depresiv sever fara simptome psihotice*. Se consemneaza ca" *Psihotrauma este reprezentata de anchete, modalitatea de ancheta, procese, prezentari in instanta (.....) Manifestarile fobice sunt determinate de amintirile, reprezentarile obsesive traumatizante ale evenimentelor trecute. (.....). Intalnirea cu aceste persoane ("care poarta uniforma") determina instalarea brusca a atacului de panica, (....) a manifestarilor neuro-vegetative*".

Din **Raportul nr.106/ 01.03.2012** al psihologului clinician R.C. rezulta ca, in urma interviului realizat, " DUMITRU MADALINA *a trecut in urma cu cativa ani (martie 2004) printr-o situatie traumatizanta atat fizic, cat si emotional (.....). Din punct de vedere comportamental si expresiv se constata ca: - solicita continuu si insistent ajutor, prezenta sotului ( il tine de mana), este tensionata, faciesul exprima frica, spaima, teroare, in raport cu evenimenete traite traumatic (.....)* " Psihologul concluzioneaza *ca: "Reducerea stimei de sine si starile de rusine traite, au condus la sentimentul de dezonoare, la convingerea pacientei ca alte persoane nu o vor mai respecta, traind stari de gol interior, de retargere, izolare"*

**II. CONTEXTUL SI ABUZURILE PRIN CARE AM FOST TRANSFORMATA DE CATRE AUTORITATI, FARA VOIA MEA, IN ASA-ZISA VICTIMA A LUI BIVOLARU GREGORIAN;**

**18.03.2004** - cu ocazia descinderilor în forţ a peste 300 de jandarmi şi 16 procurori in mai multe proprietati private ale cursantilor/ simpatizantilor asociatiei non-profit MISA, a fost percheziţionat şi imobilul în care mă aflam din **Bucureşti, str. Vasile Grozavu nr. 2, sector 5.**

- Am fost trezit din somn datorita escaladarii violente de catre mascati a imobilului, si fiind

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sumar îmbr cat (ținuta de noapte), am fost agresat fizic și verbal de c tre jandarmi și am fost filmat de către cameramanul Parchetului. Am fost ținut de jandarmi cu arma de foc la tâmpl peste 12 ore , nu am fost lasata sa ma îmbrac, sa mananc, sa beau apa.

- Mi-au fost ridicate cantități masive de bunuri personale fără a fi prezentate Subsemnatei spre identificare și semnate spre neschimbare, neavând nici o legătură cu dispozițiile din autorizația de percheziție semnată de judecător Lia Savone;
- Am fost târât la Parchetul de pe lângă Curtea de Apel București( la data respectiva nu am știut unde sunt dusă) unde am fost reținută cu forța ore în șir fără nici un mandat de reținere sau citație (precizez că anterior Subsemnata nu am efectuat niciodată vreo Plângere penala/ civila/ administrativa împotriva lui Bivloaru Gregorian sau a altui reprezentant MISA);
- **Am fost obligat de anchetatori s dau o declarație care nu concord în nici un fel cu voința mea, si sa declar, contrar adevarului ca as fi intretinut relatii sexuale cu Bivolaru Gregorian.** In acest scop am fost amenințat și șantajată de către organele de anchetă cu lipsirea mea de libertate pe termen nelimitat si cu aplicarea de rele tratatmente mie, familiei și cunoscuților mei; am fost agresată fizic și psihic de către ofițerul psiholog lt.Raicu Alina care a asistat la audierea mea.
- Nu mi s-a permis s fiu asistat și reprezentat juridic de nici un avocat, deși am solicitat insistent în nenum rate rânduri aceasta și avocatul pe care doream să-l angajez sosise la Parchet;
- Nu mi s-a adus la cunoștiinț cauza în care dau declarații, nu mi s-a spus în ce calitate dau aceste declarații și nici care îmi sunt drepturile legale;

**1.4.2004** - Am intenționat să efectuez o declarație în Dosarul nr.720/P/2003 în prezența avocatului ales.

Mi-a fost refuzată declarația de către procurorii Cerbu Viorel și Chaborschi Anton Grigore – procurorii anchetatori din cadrul Parchetului de pe lângă Curtea de Apel București. Reținându-mă însă la Parchet și invocând un mandat de aducere (deși mă prezentasem din proprie inițiativă la Parchet), procurorii au dispus s mi se efectueze contra vointei mele o expertiz medico-legal genitala si anala la IML. M-au forțat sa ma deplasez la IML cu escort format din mai multe mașini ale Poliției și coordonate de inspectorul de poliție Ilieș Dumitru;

- La Institutul Medico-Legal "Mina Minovici" (însoțit fiind de avocatul meu ales), am fost reținută cu forța și s-au exercitat represiuni fizice si psihice extrem de traumatizante asupra mea: ușile spitalului au fost blocate și flancate de către polițiști, am fost reținută cu forța circa 4 ore în incinta institutului, am fost imbrâncită, agresată fizic și psihic de către Ilieș Dumitru și alți lucrători ai poliției în încercarea acestora de a mă forța să efectuez expertiza.
- În jurul orelor 17.00 am fost obligate (eu și avocatul meu ales) de către forțele speciale ale Poliției, din cadrul S.P.I.R. s intr m într-o dub a Poliției. Avocatul a fost insultat și vătămat fizic. Am fost transportate în mare viteză (cu îndepărtarea prin megafon a automobilelor din trafic), către Politia Capitalei unde Subsemnata am fost reținută contra voinței mele mai multe ore;
- În stare de reținere am fost deplasată într-o dubă, în forță și contra voinței mele, în orașul Constanța unde am fost cazată forțat de către organele de cercetare penală la familia surorii mele Iordache Florentina și Iordache Marian.

**01.04.2004-06.04.2004**: am fost lipsit de libertate în mod ilegal, am fost sechestrată la domiciliu, traumatizată și terorizată: mi s-a interzis orice legătură cu exteriorul, am fost p zit permanent de lucrători ai Poliției și SRI care st teau permanent în fața porții și patrulau pe stradă, mi-au creat stare de teroare și încarcerare. Am fost batută de rude, ținută nemâncată (rudele nu-mi dădeau hrană vegetariană) și hărțuită sexual de cumnatul meu Iordache Marian. Nimeni dintre cunoscuții mei: logodnic ( Lomoș Remus Dumitru), prieteni, avocat nu au știut unde sunt sechestrată și lipsită de libertate ilegal;

**07.04.2004-22.04.2004:** Direcția pentru Protecția Copilului Constanța în colaborare cu reprezentanții Parchetului și ai Poliției m-au încredințat contra voinței mele familiei Iordache

Florentina şi Marian.

- am fost ţinută în continuare sechestrată la domiciliul acestora, fără acte de identitate, fără lucruri personale, fără să pot lua legătura cu exteriorul şi fiind permanent păzită de lucrători ai Poliţiei şi SRI;
- **nu mi s-a mai permis s -mi urmez cursurile liceale, Subsemnata fiind elev în clasa a XI-a la Liceul Economic "Viilor" din Bucureşti, ulterior fiind chiar exmatriculată din cauza absenţelor;**
- în 15 aprilie 2004, atât logodnicul cât şi prietenii mei, în încercările eşuate s ia legatura cu mine, m-au v zut, prin gardul casei respective, în timp ce eram lovit cu bestialitate de surorile si cumnatul meu;
- în 23 aprilie 2004, autorit ţile au anunţat c Subsemnata, profitând de un moment de neatenţie al supraveghetorilor (?!), am fugit de acas şi c am fost dată în urmărire generală şi în consemn la frontieră; consemnul la frontieră s-a menţinut până la sfârşitul lunii decembrie 2004;
- **Am fost supus oprobiului şi disprețului public, colegii mei de şcoal , profesorii, prietenii, familia, rudele, societatea civil m-au dezavuat, m-au discreditat, m-au marginalizat.**

**18.03.2004- prezent** - printr-o acţiune complet ilegală, lipsită de orice etic şi conduit profesional , încălcând grav Codul deontologic al magistraţilor, procurorii care au instrumentat cazul au înmânat reprezentanţilor presei scrise şi televiziunilor din România materiale audio- vidoe/ inscrisuri privind pe Subsemnata din Dosarul de urm rire penal nr.720/P/2003: casetele video înregistrate cu ocazia percheziţiei, fotografii cu Subsemnata, înscrisuri şi manuscrise, obiecte personale, imagini private audio-video informaţii legate de viaţa privat , familial şi şcolar (situaţia şcolar , foaia matricol , etc.). Însuşi Procurorul General al Parchetului Curţii de Apel Bucureşti de la acea vreme, George Bălan, a ap rut în faţa camerelor de filmat şi în leg tur cu materialul probator care a fost pus la dispoziţia mass-mediei de c tre subalternii dumnealui a declarat în faţa tuturor televiziunilor c : *"sunt sigur c şi mass-media va fi mai mult decât interesat ".*

**III. DEMERSURILE JURIDICE EFECTUATE DE SUBSEMNATA PENTRU A RECLAMA ABUZURILE SUFERITE DIN PARTEA AUTORITATILOR SI PENTRU A NEGA SISTEMATIC DECLARATIILE SMULSE CU FORTA DIN 18.03.2004:**

- Declaraţie din 14.08.2003 la Poliţia din Costineşti - *prin care cu aproape 1 an inainte de declansarea anchetei din 18 martie 2004 Subsemnata am arătat în faţa organelor de poliţie faptul că nu am nici o legătură de natură sexuală sau de altă natură cu BIVOLARU GREGORIAN!!*

**Cu toate acestea, fără sa se tina cont de aceasta declaratie a mea oficiala, organele statului m-au tărât fara voia mea in acest proces penal absurd si profund vătămător la adresa mea!!!**

- Declaraţie olografă având numărul de primit 445/ din data de 19.03.2004 redactată si semnată de Subsemnata in Dosarul penal nr.720/P/2003 prin care mi-am retras Declaratia data in 18.03.2004 si am contestat modalitatea abuzivă în care am fost audiată de către organele de anchetă.

**Nu se regaseste nici pana în prezent la dosarul cauzei, desi procurorul Balan George depune la dosar o rezolutie de respingere a ei!!!**

- Plângere Penală împotriva procurorului Bălan George înregistrată de Parchetul de pe lângă Î.C.C.J sub

nr.3639/23.02.2005. **Nu am fost audiată niciodată în cauză. Nu am primit nici o soluţie.**

- Plângere Penală împotriva procurorilor Bălan George, Chaborschi Grigore Anton, Cerbu Viorel, Nica

Andreea, inspectorului de poliţie Ilieş Dumitru, psihologului lt. Raicu Alina, jandarmilor şi poliţiştilor, înregistrată de Parchetul de pe lângă Î.C.C.J sub nr.3637/ 23.02.2005.**Nu am fost audiată niciodată în cauză. Nu am primit nici o soluţie.**

- Memoriu de declanşare a acţiunii disciplinare împotriva magistraţilor în cauză care a fost înregistrat de

Parchetul de pe lângă Î.C.C.J sub nr.3641/ 23..02.2005, de către Ministerul Justiţiei sub nr.19035 şi de către Consiliul Superior al Magistraturii sub 2677/SR. **Nu am fost audiată în nici una dintre plângerile formulate, nu mi s-a dat posibilitatea sa exprim oral cele prezentate în Plângeri, nu mi s-a creat posibilitatea să utilizez probe. Nu am primit nici o soluţie.**

- Declaratie datăin fata avocatului Moisei Daniel din cadrul Baroului de avocati Teleorman in data de

29.03.2004, avand nr. de atestare nr.1/2004, prin care am aratat modul violent si abuziv in care am fost supusa unei perchezitii domiciliare in data de 18.03.2004, dupa care a fost dusa la Parchet si obligata sa dau o declaratiile din 18 martie contra vointei mele;

- Contestatie formulata de Dumitru Madalina impotriva Hotararii nr.696/07.04.2004 Directia Judeteana

de Protectie a Copilului prin care arata ca a fost luata de sub ocrotirea mamei sale si plasata fortata la familia sorei sale, fiindu-i incalcate abuziv toate drepturile legale in domeniu;

- Certificat medico-legal nr. 2214/S din 22.12.2004 privind pe Dumitru Mădălina eliberat de Serviciul

de medicina legala Constanţa din care reiese ca examenul clinic al perineului post (rect perineal si orificiu

Declaratie de parte-vatamata formulata de Dumitru Madalina in 18.05.2006 in Dosarul nr.17/P/2004 al

Sectiei unite al Parchetelor Militare impotriva jandarmilor, politistilor, procurorilor si organelor de ancheta care au audiat-o si cercetat-o in mod abuziv si violent in data de 18.03.2004 si urmatoarele;

- Înscris olograf intitulat «Declaratie» formulat de Dumitru Mădălina in 26.06.2007 catre Politia

statiunii Costinesti, in care am relatat despre agresiunile fizice si morale la care a fost supusa atat de catre membrii familiei sorei sale Iordache Florentina, cat si de organele de ancheta si presa si am solicitat sa nu mai fiu haituita si urmarita de catre politie, presa, etc. intrucat este majora si nu se mai afla sub custodia nimanui.

- Plângeri penale împotriva martorelor IORDACHE FLORNETINA şi ILIE LUMINIŢA pentru săvârşirea de către acestea de infracţiunii de mărturie mincinoasă atât cu ocazia instrumentării dosarului de urmărire penală 720/P/2003 cât şi în faza de judecată.

- Interviu acordat cercetătorului, prof. Gabriel Andreescu - sintetizat în Raportul Apador CH-Comitetul

Helsinki -2005,

- Declaratie de martor in fata CURŢII SUPREME DE LA STOCKHOLM –Suedia din 21.10.2005 în

Care Subsemnata Dumitru Mădalina am fost audiată ca şi martor cu ocazia analizării de către Instanţa supremă a cererii de extrădare a inculpatului Bivolaru Gregorian.

**In pofida tuturor acestor demersuri din toti acesti ani, niciunul dintre reprezentantii statului roman**
**abilitat cu cercetarea si solutionarea celor reclamate de Subsemnata nu a efectuat nici cel mai mic act de investigare si de protejare a mea impotriva tuturor represiunilor, abuzurilor, umilirii, traumatizarii mele de catre procurorii si politistii anchetatori.**

**Singură, Curtea Suprema din Suedia a avut un comportament just, obiectiv si deontologic fata de cele invederate. Aceasta a concluzionat in Decizia sa: " concluziona in Decizia sa:** " MD [ Madalina Dumitru] a creat impresia unei persoane demne de încredere şi informaţiile date de ea despre circumstanţele arestării şi interogării ei din 18 martie 2004 este susţinută cu dovezi certe din alte investigaţii (...).Informatiile furnizate de către MD subrezesc serios credinta în acuzatia formulată împotriva lui GB de a fi abuzat sexual de aceasta"

**IN CONCLUZIE:**

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Fata de cele relatate mai sus, se poate concluziona Stimate Domnule Ministru/ Stimate Domnule Presedinte al CSM, ca întreg procesul penal declanşat din 2004 şi până în prezent a afectat profund viaţa Subsemnatei DUMITRU MĂDĂLINA (minora la acea data), **motiv pentru care nu mai vreau sa particip la nici un proces si vreau sa fiu lasata in pace!**

In dorinta furibunda de a-l incrimina pe inculpatul Bivolaru Gregorian cu orice pret, organele de ancheta au exercitat presiuni de o intensitate deosebit de accentuata asupra mea.

Cu participarea procurorilor, ai altor lucratori ai Parchetului, Jandarmeriei, Politiei, Serviciului Român de Informaţii, a judecatorilor, subsemnata am fost retinuta si lipsita de libertate in mod ilegal, am fost agresata fizic, psihic si moral, am suferit traume şi umiliri deosebit de grave, am pierdut şcoala, am fost obligata sa ma izolez, am suferit o stare accentuata de soc.

**Autoritățile romane se fac vinovate atât de participarea directă la supunerea mea la tratamente inumane şi degradante, la incalcarea drepturilor la: viata privata, la libertate si siguranta, la un proces echitabil (toate protejate de Conventia Europeana a drepturilor Omului), cât şi pentru neluarea măsurilor ce revine obligației imperative a statului de a ma proteja pentru a nu fi supusă unor astfel de tratamente.**

**Data:** 28 mai 2012

**Cu speranta ca mi se va face dreptate si ca adevarul va triumfa,**

**DUMITRU MĂDĂLINA**

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LX09995989105

**EXPEDITOR:**

DUMITRU MĂDĂLINA.
str. TROMPEȚULUI NR 14,
Sector 5, BUCUREȘTI

**NOTA DE INVENTAR:**

1. MEMORIU CĂTRE MINISTERUL JUSTIȚIEI - 6 pag.
2. MEMORIU CĂTRE MINISTERUL JUSTIȚIEI - OLOGRAF - 33 pag.

Se va repeta cifra de o-a lincrcuit și sector sau județ care se trec ca la destinatar → 81 MINISTERUL JUSTIȚIEI SECTOR 5 BUC.

Acest exemplar confirmă primirea acrisoni cu conținutul specificat la care de sus →

**Memorandum addressed to the President of the CSM that was formulated against the prosecutors and the judges**

**Catre Consiliul Superior al Magistraturii,**
ROMANIA, BUCURESTI, Calea Plevnei nr. 141B, sector 6, cod poştal: 060011

**DOMNULE PRESEDINTE AL CSM ,**

Subsemnata
**DUMITRU MĂDĂLINA** – cetăţean român, fiica lui Vasile (decedat) şi a lui Tanţa, posesoare a C.I. seria KT nr. 151797 eliberat de Poliţia Eforie la data de 29.09.2000, **cu domiciliul în Bucureşti, Str. Trompetului nr. 14 , sector 5**, cu speranta ca dupa 8 ani de zile mi se va face pana la urma dreptate si adevarul va triumfa,
va adresez prezentul

# M E M O R I U

prin care vă prezint in mod sintetic, încălcările flagrante ale legii, abuzurile deosebit de grave si traumatizante, discriminările pe care magistraţii români (procurori si judecători) le-au săvârşit cu privire la SUBSEMNATA cu ocazia cercetărilor penale si a cercetarii judecatoresti a lui Bivolaru Gregorian in Dosarul penal 405/85/2005

(dosar urmărire penală 720/P/2003)

Faţă de cele arătate in cele ce urmează VA SOLICIT SA BINEVOITI A DISPUNE LUAREA DE URGENTA a tuturor masurilor care se impun astfel incat, Subsemnata sa nu mai fiu victima de necontestat a judecatorilor, procurorilor, altor lucratori ai statului care printr-o actiune concertata si profund ilegala m-au târât fără voia mea încă din perioada minoratului într-un proces penal cu care nu am nici o legatură si care a produs asupra mea consecinte fizice, psihice si sociale deosebit de grave.

Astfel:

III. **I. CONTRAR DEMERSURILOR MELE LEGALE ANTERIOARE JUDECATORII SI PROCURORII ICCJ M-AU TRATAT CA PE O INFRACTOARE la termenul de judecata din 23.feb 2012 in dosarul 405/85/2005.**

Desi se presupune ca Subsemnata am un asa-zis statut de Parte Vatamata in aceasta cauza si se presupune ca magistratii efectueaza cercetarea judecatoreasca cu scopul identificarii eventualelor fapte penale care s-au savarsit asupra mea, acestia, in realitate, **s-au comportat cu mine ca si cum as fi fost vinovata de vreo fapta penala si ca si cum as fi un infractor periculos.**

Astfel, pe tot parcursul audierii mele in data de 23 februarie 2012 judecatorii si procurorul de sedinta au manifestat fata de mine un limbaj deosebit de dur, chiar rastit si acuzator.
Au alternat atitudinea ofensiva si brutala, cu una plina de amuzament dispretuitor si ironic la

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adresa Subsemnatei. In catevea randuri procuroarea de sedinta cand imi punea intrebari, chiar mi s-a adresat cu apelativul : *Invinuita*.

Desi am solicitat prin avocat sa nu fiu audiata in sedinta publica acestia mi-au pus o serie de intrebari intime despre viata mea personala si sexuala din perioada minoratului de fata cu toata lumea prezenta in sala de judecata.

Desi am solicitat oral, in timpul sedintei de judecata, prin avocatul ales, sa nu mai fiu audiata atat de agresiv si violent ca si cum as fi anchetata pentru vreo fapta penala si desi am aratat ca astept de la magistratii Curtii Supreme sa fiu tratata cu impartialitatea, formalismul si echidistanta specifica acestei profesii si, mai ales, am aratat ca nu doresc sa fiu transformata intr-un instrument de inculpare cu orice pret a partilor din dosar, **acestia s-au comportat fata de mine ca niste procurori anchetatori. Mi-au creat atmosfera de teroare, umilire, abuz si hartuire care s-a exercitat asupra mea de catre autoritati inca din 18 martie 2004 si ulterior.**

**Subsemnatei mi-au fost reactivate si amplificate starile de teama, spaima, anxietate apasatoare, disperare care mi s-au declansat inca din 18 martie 2004 si care au fost intretinute de autoritati si ulterior pe toata perioada acestui proces penal in care am fost târâtă fără voia mea. Plang in continuu, am insomnii, sunt permanent infricosata cand trebuie sa ies pe strada sau in alte locuri publice. Ma simt supusa permanent oprobiului public si hartuirii. Imi este foarte frica de orice fel de autoritate publica si nu mai am absolut deloc incredere ca in Romania se respecta legea si se infaptuieste justitia. Sunt chiar preocupata sa prasesc aceasta tara si sa imi gasesc linistea si dreptatea in alta parte, cerand eventual azil politic.**

Din cauza tuturor starilor cu care ma confrunt am fost nevoita sa apelez la consultatii medicale de specialitate: psihiatrice si psihologice.

Din **Raportul nr.612/01.03.2012** al medicului primar psihiatru H.C. rezulta ca Subsemnata DUMITRU MADALINA sunt diagnosticata cu *episod depresiv sever fara simptome psihotice*. Se consemneaza ca" *Psihotrauma este reprezentata de anchete, modalitatea de ancheta, procese, prezentari in instanta (……) Manifestarile fobice sunt determinate de amintirile, reprezentarile obsesive traumatizante ale evenimentelor trecute. (…..). Intalnirea cu aceste persoane ("care poarta uniforma") determina instalarea brusca a atacului de panica, (….) a manifestarilor neuro-vegetative*".

Din **Raportul nr.106/ 01.03.2012** al psihologului clinician R.C. rezulta ca, in urma interviului realizat, " DUMITRU MADALINA *a trecut in urma cu cativa ani (martie 2004) printr-o situatie traumatizanta atat fizic, cat si emotional (……). Din punct de vedere comportamental si expresiv se constata ca: - solicita continuu si insistent ajutor, prezenta sotului ( il tine de mana), este tensionata, faciesul exprima frica, spaima, teroare, in raport cu evenimenete traite traumatic (…..)* " Psihologul concluzioneaza *ca: "Reducerea stimei de sine si starile de rusine traite, au condus la sentimentul de dezonoare, la convingerea pacientei ca alte persoane nu o vor mai respecta, traind stari de gol interior, de retargere, izolare"*

## II. CONTEXTUL SI ABUZURILE PRIN CARE AM FOST TRANSFORMATA DE CATRE AUTORITATI, FARA VOIA MEA, IN ASA-ZISA VICTIMA A LUI BIVOLARU GREGORIAN:

**18.03.2004** - cu ocazia descinderilor în forţ a peste 300 de jandarmi şi 16 procurori în mai multe proprietati private ale cursantilor/ simpatizantilor asociatiei non-profit MISA, a fost percheziţionat şi imobilul în care mă aflam din **Bucureşti, str. Vasile Grozavu nr. 2, sector 5.**

- Am fost trezit din somn datorita escaladarii violente de catre mascati a imobilului, si fiind sumar îmbr cat (tinuta de noapte), am fost agresat fizic şi verbal de c tre jandarmi şi am fost filmat de către cameramanul Parchetului. Am fost ţinut de jandarmi cu arma de foc la tâmpl peste 12 ore , nu am fost lasata sa ma îmbrac, sa mananc, sa beau apa.
- Mi-au fost ridicate cantităţi masive de bunuri personale fără a fi prezentate Subsemnatei spre identificare şi semnate spre neschimbare, neavând nici o legătură cu dispoziţiile din autorizaţia

de percheziţie semnată de judecător Lia Savone;

- Am fost târât la Parchetul de pe lângă Curtea de Apel Bucureşti( la data respectiva nu am stiut unde sunt dusă) unde am fost reţinută cu forţa ore in şir fără nici un mandat de reţinere sau citaţie (precizez că anterior Subsemnata nu am efectuat niciodată vreo Plângere penala/ civila/ administrativa împotriva lui Bivloaru Gregorian sau a altui reprezentant MISA);
- **Am fost obligat de anchetatori s dau o declaraţie care nu concord în nici un fel cu voinţa mea, si sa declar, contrar adevarului ca as fi intretinut relatii sexuale cu Bivolaru Gregorian.** In acest scop am fost ameninţat şi şantajată de către organele de anchetă cu lipsirea mea de libertate pe termen nelimitat si cu aplicarea de rele tratatmente mie, familiei şi cunoscuţilor mei; am fost agresată fizic şi psihic de către ofiţerul psiholog lt.Raicu Alina care a asistat la audierea mea.
- Nu mi s-a permis s fiu asistat şi reprezentat juridic de nici un avocat, deşi am solicitat insistent în nenum rate rânduri aceasta şi avocatul pe care doream să-l angajez sosise la Parchet;
- Nu mi s-a adus la cunoştiinţ cauza în care dau declaraţii, nu mi s-a spus în ce calitate dau aceste declaraţii şi nici care îmi sunt drepturile legale;

**1.4.2004** - Am intenţionat să efectuez o declaraţie în Dosarul nr.720/P/2003 în prezenţa avocatului ales.

Mi-a fost refuzată declaraţia de către procurorii Cerbu Viorel şi Chaborschi Anton Grigore – procurorii anchetatori din cadrul Parchetului de pe lângă Curtea de Apel Bucureşti. Reţinându-mă însă la Parchet şi invocând un mandat de aducere (deşi mă prezentasem din proprie iniţiativă la Parchet), procurorii au dispus s mi se efectueze contra vointei mele o expertiz medico-legal genitala si anala la IML. M-au forţat sa ma deplasez la IML cu escort format din mai multe maşini ale Poliţiei şi coordonate de inspectorul de poliţie Ilieş Dumitru;

- La Institutul Medico-Legal "Mina Minovici" (însoţit fiind de avocatul meu ales), am fost reţinută cu forţa şi s-au exercitat represiuni fizice si psihice extrem de traumatizante asupra mea: uşile spitalului au fost blocate şi flancate de către poliţişti, am fost reţinută cu forţa circa 4 ore în incinta institutului, am fost îmbrâncită, agresată fizic şi psihic de către Ilieş Dumitru şi alţi lucrători ai poliţiei în încercarea acestora de a mă forţa să efectuez expertiza.
- În jurul orelor 17.00 am fost obligate (eu şi avocatul meu ales) de către forţele speciale ale Poliţiei, din cadrul S.P.I.R. s intr m într-o dub a Poliţiei. Avocatul a fost insultat şi vătămat fizic. Am fost transportate în mare viteză (cu îndepărtarea prin megafon a automobilelor din trafic), către Politia Capitalei unde Subsemnata am fost reţinută contra voinţei mele mai multe ore;
- În stare de reţinere am fost deplasată într-o dubă, în forţă şi contra voinţei mele, în oraşul Constanţa unde am fost cazată forţat de către organele de cercetare penală la familia surorii mele Iordache Florentina şi Iordache Marian.

**01.04.2004-06.04.2004**: am fost lipsit de libertate în mod ilegal, am fost sechestrată la domiciliu, traumatizată şi terorizată: mi s-a interzis orice legătură cu exteriorul, am fost p zit permanent de lucrători ai Poliţiei şi SRI care st teau permanent în faţa porţii şi patrulau pe stradă, mi-au creat stare de teroare şi încarcerare. Am fost batută de rude, ţinută nemâncată (rudele nu-mi dădeau hrană vegetariană) şi hărţuită sexual de cumnatul meu Iordache Marian. Nimeni dintre cunoscuţii mei: logodnic ( Lomoş Remus Dumitru), prieteni, avocat nu au ştiut unde sunt sechestrată şi lipsită de libertate ilegal;

**07.04.2004-22.04.2004:** Direcţia pentru Protecţia Copilului Constanţa în colaborare cu reprezentanţii Parchetului şi ai Poliţiei m-au încredinţat contra voinţei mele familiei Iordache Florentina şi Marian.

- am fost ţinută în continuare sechestrată la domiciliul acestora, fără acte de identitate, fără lucruri personale, fără să pot lua legătura cu exteriorul şi fiind permanent păzită de lucrători ai Poliţiei şi SRI;
- **nu mi s-a mai permis s -mi urmez cursurile liceale, Subsemnata fiind elev în clasa a XI-a la**

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**Liceul Economic "Viilor" din Bucureşti, ulterior fiind chiar exmatriculată din cauza absenţelor;**

- în 15 aprilie 2004, atât logodnicul cât şi prietenii mei, în încercările eşuate s ia legatura cu mine, m-au v zut, prin gardul casei respective, în timp ce eram lovit cu bestialitate de surorile si cumnatul meu;
- în 23 aprilie 2004, autorit ţile au anunţat c Subsemnata, profitând de un moment de neatenţie al supraveghetorilor (?!), am fugit de acas şi c am fost dată în urmărire generală şi în consemn la frontieră; consemnul la frontieră s-a menţinut până la sfârşitul lunii decembrie 2004;
- **Am fost supus oprobiului şi disprețului public, colegii mei de şcoal , profesorii, prietenii, familia, rudele, societatea civil m-au dezavuat, m-au discreditat, m-au marginalizat.**

**18.03.2004- prezent** - printr-o acţiune complet ilegală, lipsită de orice etic şi conduit profesional , încălcând grav Codul deontologic al magistraţilor, procurorii care au instrumentat cazul au înmânat reprezentanţilor presei scrise şi televiziunilor din România materiale audio- video/ inscrisuri privind pe Subsemnata din Dosarul de urm rire penal nr.720/P/2003: casetele video înregistrate cu ocazia percheziţiei, fotografii cu Subsemnata, înscrisuri şi manuscrise, obiecte personale, imagini private audio-video informaţii legate de viaţa privat , familial şi şcolar (situaţia şcolar , foaia matricol , etc.). Însuşi Procurorul General al Parchetului Curţii de Apel Bucureşti de la acea vreme, George Bălan, a ap rut în faţa camerelor de filmat şi în leg tur cu materialul probator care a fost pus la dispoziţia mass-mediei de c tre subalternii dumnealui a declarat în faţa tuturor televiziunilor c : *"sunt sigur c şi mass-media va fi mai mult decât interesat ".*

**III. DEMERSURILE JURIDICE EFECTUATE DE SUBSEMNATA PENTRU A RECLAMA ABUZURILE SUFERITE DIN PARTEA AUTORITATILOR SI PENTRU A NEGA SISTEMATIC DECLARATIILE SMULSE CU FORTA DIN 18.03.2004:**

- Declaraţie din 14.08.2003 la Poliţia din Costineşti - *prin care cu aproape 1 an înainte de declansarea anchetei din 18 martie 2004 Subsemnata am arătat în faţa organelor de poliţie faptul că nu am nici o legătură de natură sexuală sau de altă natură cu BIVORLARU GREGORIAN!!*

**Cu toate acestea, fără sa se tina cont de aceasta declaratie a mea oficiala, organele statului m-au târât fara voia mea in acest proces penal absurd si profund vătămător la adresa mea!!!**

- Declaraţie olografă având numărul de primit 445/ din data de 19.03.2004 redactată si semnată de Subsemnata in Dosarul penal nr.720/P/2003 prin care mi-am retras Declaratia data in 18.03.2004 si am contestat modalitatea abuzivă în care am fost audiată de către organele de anchetă. **Nu se regaseste nici pana în prezent la dosarul cauzei, desi procurorul Balan George depune la dosar o rezolutie de respingere a ei!!!**
- Plângere Penală împotriva procurorului Bălan George înregistrată de Parchetul de pe lângă Î.C.C.J sub

nr.3639/23.02.2005. **Nu am fost audiată niciodată în cauză. Nu am primit nici o soluţie.**

- Plângere Penală împotriva procurorilor Bălan George, Chaborschi Grigore Anton, Cerbu Viorel, Nica

Andreea, inspectorului de poliţie Ilieş Dumitru, psihologului lt. Raicu Alina, jandarmilor şi poliţiştilor, înregistrată de Parchetul de pe lângă Î.C.C.J sub nr.3637/ 23.02.2005.**Nu am fost audiată niciodată în cauză. Nu am primit nici o soluţie.**

- Memoriu de declanşare a acţiunii disciplinare împotriva magistraţilor în cauză care a fost înregistrat de

Parchetul de pe lângă Î.C.C.J sub nr.3641/ 23..02.2005, de către Ministerul Justiţiei sub nr.19035 şi de către Consiliul Superior al Magistraturii sub 2677/SR. **Nu am fost audiată în nici una dintre plângerile formulate, nu mi s-a dat posibilitatea sa exprim oral cele prezentate în Plângeri, nu mi s-a creat posibilitatea să utilizez probe. Nu am primit nici o soluţie.**

- Declaraţie datăin fata avocatului Moisei Daniel din cadrul Baroului de avocati Teleorman in

data de
29.03.2004, avand nr. de atestare nr.1/2004, prin care am aratat modul violent si abuziv in care am fost supusa unei perchezitii domiciliare in data de 18.03.2004, dupa care a fost dusa la Parchet si obligata sa dau o declaratiile din 18 martie contra vointei mele;

- Contestatie formulata de Dumitru Madalina impotriva Hotararii nr.696/07.04.2004 Directia Judeteana

de Protectie a Copilului prin care arata ca a fost luata de sub ocrotirea mamei sale si plasata fortata la familia sorei sale, fiindu-i incalcate abuziv toate drepturile legale in domeniu;

- Certificat medico-legal nr. 2214/S din 22.12.2004 privind pe Dumitru Mădălina eliberat de Serviciul

de medicina legala Constanța din care reiese ca examenul clinic al perineului post (rect perineal si orificiu

Declaratie de parte-vatamata formulata de Dumitru Madalina in 18.05.2006 in Dosarul nr.17/P/2004 al

Sectiei unite al Parchetelor Militare impotriva jandarmilor, politistilor, procurorilor si organelor de ancheta care au audiat-o si cercetat-o in mod abuziv si violent in data de 18.03.2004 si urmatoarele;

- Înscris olograf intitulat «Declaratie» formulat de Dumitru Mădălina in 26.06.2007 catre Politia

statiunii Costinesti, in care am relatat despre agresiunile fizice si morale la care a fost supusa atat de catre membrii familiei sorei sale Iordache Florentina, cat si de organele de ancheta si presa si am solicitat sa nu mai fiu haituita si urmarita de catre politie, presa, etc. intrucat este majora si nu se mai afla sub custodia nimanui.

- Plângeri penale împotriva martorelor IORDACHE FLORNETINA și ILIE LUMINIȚA pentru săvârșirea de către acestea de infracțiunii de mărturie mincinoasă atât cu ocazia instrumentării dosarului de urmărire penală 720/P/2003 cât și în faza de judecată.

- Interviu acordat cercetătorului, prof. Gabriel Andreescu - sintetizat în Raportul Apador CH-Comitetul

Helsinki -2005,

- Declaratie de martor in fata CURȚII SUPREME DE LA STOCKHOLM –Suedia din 21.10.2005 în

Care Subsemnata Dumitru Mădalina am fost audiată ca și martor cu ocazia analizării de către Instanța supremă a cererii de extrădare a inculpatului Bivolaru Gregorian.

**In pofida tuturor acestor demersuri din toti acesti ani, niciunul dintre reprezentantii statului roman**
**abilitat cu cercetarea si solutionarea celor reclamate de Subsemnata nu a efectuat nici cel mai mic act de investigare si de protejare a mea impotriva tuturor represiunilor, abuzurilor, umilirii, traumatizarii mele de catre procurorii si politistii anchetatori.**

**Singură, Curtea Suprema din Suedia a avut un comportament just, obiectiv si deontologic fata de cele invederate. Aceasta a concluzionat in Decizia sa: " concluziona in Decizia sa:** " MD ( Madalina Dumitru) o creat impresia unei persoane demne de încredere și informațiile date de ea despre circumstanțele arestării și interogării ei din 18 martie 2004 este susținută cu dovezi certe din alte investigații (...).**Informatiile furnizate de către MD subrezesc serios credinta în acuzatia formulată împotriva lui GB de a fi abuzat sexual de aceasta**"

## IN CONCLUZIE:

Fata de cele relatate mai sus, se poate concluziona Stimate Domnule Ministru/ Stimate Domnule Presedinte al CSM, ca întreg procesul penal declanșat din 2004 și până în prezent a afectat profund viața Subsemnatei DUMITRU MĂDĂLINA (minora la acea data), **motiv pentru care nu mai vreau sa particip la nici un proces si vreau sa fiu lasata in pace!**

5/6

In dorinta furibunda de a-l incrimina pe inculpatul Bivolaru Gregorian cu orice pret, organele de ancheta au exercitat presiuni de o intensitate deosebit de accentuata asupra mea.

Cu participarea procurorilor, ai altor lucratori ai Parchetului, Jandarmeriei, Politiei, Serviciului Român de Informaţii, a judecatorilor, subsemnata am fost retinuta si lipsita de libertate in mod ilegal, am fost agresata fizic, psihic si moral, am suferit traume şi umiliri deosebit de grave, am pierdut şcoala, am fost obligata sa ma izolez, am suferit o stare accentuata de soc.

**Autoritățile romane se fac vinovate atât de participarea directă la supunerea mea la tratamente inumane şi degradante, la incalcarea drepturilor la: viata privata, la libertate si siguranta, la un proces echitabil (toate protejate de Conventia Europeana a drepturilor Omului), cât şi pentru neluarea măsurilor ce revine obligaţiei imperative a statului de a ma proteja pentru a nu fi supusă unor astfel de tratamente.**

**Data:** 28 mai 2012

**Cu speranta ca mi se va face dreptate si ca adevarul va triumfa,**

**DUMITRU MĂDĂLINA**

A fost trimis prin poștă și aceasta este dovada!

LX09995989125

**EXPEDITOR:**

DUMITRU MĂRĂCINEAN
STR. TROMPETULUI NR 14
SECT 5, BUC.

**NOTA DE INVENTAR:**

1. MEMORIU CĂTRE CSM - 6 pag
2. MEMORIU CĂTRE CSM - olograf 34 pag

Se va repeta oltra ce s-a trecut și sector sau județ care se trec ca la destinatar →

Acest exemplar confirmă primirea scrisorii cu conținutul specificat la data de azi →

## Memorandum addressed to the Minister of Justice for initiating disciplinary actions against the prosecutors

MINISTERUL JUSTITIEI
PARCHETUL DE PE LÂNGĂ CURTEA DE APEL BUCUREŞTI
Nr. 19035 23.02.05

**Către MINISTERUL JUSTITIEI,**
**Bucuresti, Str. Apolodor, nr.17, sector 5**

**DOAMNĂ MINISTRU,**

Subsemnata **DUMITRU MĂDĂLINA** – cetăţean român, domiciliată în judeţul Constanţa, com. Costineşti, Str. Gării, nr.99, **cu domiciliul ales în Bucureşti, str. Mihail Sebastian, nr.136, bl.V 90, sc.1, ap.20, sector 5,** fiica lui Vasile şi a lui Tanţa, posesoare a C.I. seria KT nr.151797 eliberată de Poliţia Eforie la data de 29.09.2000,

în temeiul **art. 95 alin. 1** din **Legea nr.303/2004** privind **statutul magistraţilor** coroborat cu **art. 45 si urm.** din **Legea 317/2004** privind **Consiliul Superior al Magistraturii**, formulez, depun şi susţin prezentul

**MEMORIU DE DECLANŞARE A ACŢIUNII DISCIPLINARE împotriva procurorilor:**

**1.BĂLAN GEORGE**-Procuror General în cadrul Parchetului de pe lângă Curtea de Apel Bucureşti;
**2.CHABORSCHI ANTON GRIGORE** – procuror în cadrul Parchetului de pe lângă Curtea de Apel Bucuresti;
**3. CERBU VIOREL** - fost procuror al Parchetului de pe lângă Curtea de Apel Bucureşti;
**4. NICA ANDREEA** – procuror din cadrul Parchetului de pe lângă Tribunalul Bucureşti,

prin care vă solicit să binevoiţi a convoca Colegiul de conducere şi ca urmare a cercetărilor pe care le veţi efectua să dispuneţi:

1. **Declanşarea acţiunii disciplinare împotriva procurorilor mai sus amintiţi;**
2. **Sancţionarea disciplinară a acestora şi pe cale de consecinţă;**
3. **Excluderea acestora din magistratură, precum şi angajarea răspunderii civile a procurorilor sancţionaţi.**

Îmi întemeiez prezentul Memoriu pe următoarele considerente de fapt şi de drept:

**CAPITOLUL I - Scurt istoric**

Subsemnata am fost introdusă ca parte vătămată în Dosarul de urmărire penală nr. 720/P/2003 aflat în cercetări în cadrul Parchetului de pe lângă Curtea de Apel Bucureşti şi instrumentat de procurorii mai sus amintiţi.

Am fost introdusă în cauză încă din 18.03.2004 cu ocazia descinderilor în forță a peste 300 de jandarmi și 16 procurori. Cu ocazia percheziției domiciliare efectuate la imobilul din București, str. Vasile Grozavu nr.2, sector 5, am fost trezită din somn și, fiind sumar îmbrăcată, am fost agresată fizic și verbal de către jandarmi și totodată am fost filmată de cameramanul Parchetului. Evident că tot materialul filmat cu subsemnata din timpul percheziției a rămas în posesia reprezentanților Parchetului.

Atât în timpul percheziției, cât și ulterior pe tot parcursul urmăririi penale efectuată în Dosarul 720/P/2003, deși se presupunea că eu sunt așa-zisa "parte vătămată" a inculpatul Bivolaru Gregorian, am fost supusă la o tortură fizică și psihică de neimaginat de către procurori, tortură care n-ar fi putut fi suportată probabil de nici un adult, nu mai spunem de un minor așa cum eram eu la data respectivă.

Astfel:

- am fost ținută de jandarmi cu arma de foc la tâmplă ore în șir;
- am fost practic târâtă la Parchet unde am fost obligată să dau o declarație care nu concordă în nici un fel cu voința mea.

În acest sens am fost amenințată, șantajată. Nu mi s-a permis să fiu asistată și reprezentată juridic de nici un avocat, deși am solicitat insistent în nenumărate rânduri aceasta. Nu mi s-a adus la cunoștință cauza în care dau declarații, nu mi s-a spus în ce calitate dau aceste declarații și nici care îmi sunt drepturile. Nu mi s-au luat în considerare plângerile ulterioare pe care le-am efectuat în legătură cu modul cum am fost audiată în data de 18.03.2004 și nici nu am mai fost reaudiată niciodată în această cauză, deși am solicitat expres acest lucru. Am fost obligată să efectuez o exepertiză medico-legală cu care nu am fost de acord. În acest sens am fost hărțuită, agresată fizic și moral, șantajată, și am fost supusă la mari presiuni psihice care au avut un efect deosebit de traumatizant. Am fost dusă cu forța în alt oraș, respectiv Constanța, unde am fost plasată fără voia mea la familia Iordache (sora și cumnatul meu), unde practic am fost sechestrată, fiind permanent păzită și urmărită de polițiști.

- nu mi s-a mai permis să-mi urmez cursurile liceale, subsemnata fiind elevă în clasa a XI-a la Liceul Economic "Viilor" din București;
- am fost supusă oprobiului și disprețului public, colegii mei de școală, profesorii, prietenii, familia, rudele, societatea civilă m-au dezavuat, m-au discreditat, m-au marginalizat.

Toate acestea au putut fi posibile datorită acțiunilor complet ilegale, lipsite de orice etică și conduită profesională ale procurorilor care instrumentau cazul și care au înmânat reprezentanților presei scrise și televiziunilor din România materialul probator din Dosarul de urmărire penală nr.720/P/2003: casetele video înregistrate cu ocazia percheziției, fotografii cu subsemnata, înscrisuri și manuscrise, obiecte personale, informații legate de viața privată, familială și școlară (situația școlară, foaia matricolă, etc.).

Însuși Procurorul General al Parchetului Curții de Apel București a apărut în fața camerelor de filmat și în legătură cu materialul-probator care a fost pus la dispoziția mass-mediei de către subalternii dumnealui a declarat în fața tuturor televiziunilor că: "sunt sigur că și mass-media va fi mai mult decât interesată" !!!?

Față de cele relatate anterior pe scurt, consider că procurorii care au instrumentat Dosarul nr.720/P/2003 au săvârșit într-un mod deosebit de grav abateri disciplinare.

**CAPITOLUL II - Abaterile disciplinare săvârșite**

Acțiunea procurorilor Bălan George, Chaborschi Grigore Anton, Cerbu Viorel și Nica Andreea etc. de a pune la dispoziția televiziunilor și presei scrise din România casetele filmate cu ocazia percheziției domiciliare din data de 18.03.2004, precum și o parte din materialul de cercetare penală în care figurează subsemnata, reprezintă o abatere disciplinară deosebit de gravă și care face ca acești procurori să nu mai poată fi asociați cu noțiunea de magistrați.

Astfel:

**a) Aceștia au pus la dispoziția televiziunilor și presei casetele video filmate de cameraman sub directa subordonare a d-nei procuror Nica Andreea, cu ocazia percheziției din 18.03.2004** la imobilul în care mă aflam din București, sector 5, str. Vasile Grozavu, nr.2. Întreg publicul telespectator din România a putut viziona imagini cu subsemnata îmbrăcată sumar în care apăreau prim-planuri cu chipul meu. Astfel, aceste imagini au apărut în perioada mai-septembrie 2004 de zeci de ori la toate posturile de televiziune. Au apărut la "Jurnal" pe postul TV România la ore de maximă audiență: 20.00, 22.00, 23.00. Au apărut la emisiunea "Observator", programul de știri al Antenei 1. Au apărut la "Știrile" de la ProTV de nenumărate ori, fiind anterior superpromovate informațiile. De asemenea, au apărut la PRIMA TV și la B1TV.

Aceste imagini în care subsemnata eram aproape dezbrăcată îmi prezentau chipul în prim-plan, fără să fie blurat (cenzurat) și care m-au pus pe mine într-o postură extrem de umilitoare și jignitoare, **încălcându-mi astfel dreptul fundamental la imagine și la viață privată**. Totodată, procurorii mai sus amintiți sunt **autorii morali** ai faptului că lucrătorii televiziunilor au montat imaginile de pe casetele furnizate în așa fel încât imaginea să fie asociată de către publicul telespectator și cu ideea că aș fi "o fată de condiție îndoielnică, imorală, care întreține relații sexuale cu persoane de același sex, respectiv cu prietena mea, Farcași Mirona, că apar pe chat-uri erotice etc." Tot acest montaj a fost posibil datorită acțiunilor reprobabile ale procurorilor care au contribuit în mod direct la prezentarea unor știri complet neadevărate, **știri care mi-au afectat într-un mod ireversibil imaginea, dreptul la viață privată, la intimitate** etc. ***Procurorii mai sus amintiți sunt coautori alături de reprezentanții televiziunilor la încălcarea deciziei C.N.A. nr.57 din 13.03.2003 privind protecția minorilor în cadrul serviciilor de programe***.

**b)** Procurorii Bălan George, Chaborschi Gr. Anton, Cerbu Viorel și Nica Andreea, prin abaterile disciplinare săvârșite, **au demonstrat cu prisosință că aceștia au manifestat o totală ignoranță și nepăsare în ceea ce privește nevoia de protecție și îngrijire specială a minorului**. S-au dovedit total dezinteresați de valorile și idealurile democratice proclamate de Cartea Națiunilor Unite și Convenția Europeană a

Drepturilor Omului în ceea ce privește creșterea și educația copilului. Astfel, mai sus amintiții procurori, cu evidentă nonșalanță și **încălcând în continuare principiul confidențialității**, au pus la dispoziția ziariștilor și reporterilor de televiziune casete audio-video și fotografii care conțineau imagini cu subsemnata, precum și inscrisuri și manuscrisuri personale, toate acestea fiind ridicate cu ocazia percheziților efectuate în 18.03.2004. Evident, acestea au fost difuzate într-o manieră obsesivă pe toate posturile de știri de televiziune din țară. Acestea au putut fi vizionate de zeci de ori, la posturi de televiziune importante, fiind promovate permanent ca știri "bombă" și reluate la emisiunile prezentate în "reluare". Astfel, au apărut la știrile de la ora 17, 18, 19, 20, 22, 23, atât la TV România, cât și la "Observator" la Antena 1, la emisiunea "Focus" la Prima TV, la OTV, la Pro TV, la Național TV etc. Astfel, **toți românii au putut viziona imagini cu subsemnata care prezentau aspecte din viața mea privată, încălcându-mi-se astfel toate drepturile și libertățile prevăzute de legile interne și internaționale**. M-am simțit profund umilită, lipsită de apărare, violată în intimitatea mea, transformată într-o victimă a procurorilor, ziariștilor și reporterilor de televiziune. Aceștia au fost practic coautori la săvârșirea infracțiunilor prevăzute și sancționate de Deciziile C.N.A.-ului în care printre altele se prevede foarte clar și imperativ că sunt "interzise difuzarea de imagini, fotografii, interviuri sau declarații ale minorilor care sunt (...) victimele infracțiunilor, fără consimțământul acestora." Nu numai că acești procurori m-au oferit spre devorare publicului din România, dar aceeași magistrați, care ar fi trebuit să fie niște apărători ai justiției și care ar fi trebuit să-și respecte jurămintele profesionale și Codul Deontologic, mi-au încălcat toate drepturile și libertățile profesionale. Oare acești procurori nu sunt părinți, nu au nepoți în propriile familii? S-au gândit măcar și pentru o secundă ce crimă morală au produs prin modul în care m-au tratat și m-au expus? Au încercat măcar și pentru o secundă să se pună în locul meu sau să-și imagineze ce ar simți copiii sau nepoții dumnealor dacă ar trăi evenimentele pe care acești procurori m-au obligat să le trăiesc?

**c)** Oare s-au gândit la toate acestea și atunci **când au pus la dispoziția ziariștilor și reporterilor de televiziune toate informațiile privitoare la activitatea și viața mea de școlar?** Astfel, în urma demersurilor efectuate în calitate de procurori, aceștia au obținut informații despre liceul pe care îl frecventam, despre situația mea școlară, despre foaia mea matricolă, despre relațiile mele cu colegii și profesorii. Deși toate acestea ar fi trebuit să reprezinte informații care intră în categoria "secret profesional", magistrații mai sus amintiți, dovedind o lipsă de moralitate și profesionalism greu de imaginat le-au pus la dispoziția mass-mediei.

Oare ai cui apărători erau de fapt acești procurori, căci în ceea ce privește apărarea justiției, a drepturilor și libertăților fundamentale ale cetățenilor, ale drepturilor și intereselor copilului în nici un caz! Totodată, acești procurori, prin deciziile pe care le-au luat în timpul exercitării atribuțiilor de serviciu și care au determinat mutarea mea forțată la Constanța, au contribuit practic la anihilarea mea din punct de vedere școlar, profesional și social, întrucât, din cauza dumnealor, subsemnata mi-am întrerupt cursurile liceale, pierzând astfel întregul an școlar. S-au gândit acești

procurori cum voi mai putea eu să mă reintegrez în societate? Cum îmi voi mai putea relua activitatea şcolară? Cum voi fi privită de colegii de şcoală şi de profesori? S-au gândit domnii procurori că practic niciodată nu voi mai fi tratată ca ceilalţi adolescenţi din România? S-au gândit că prin toate acţiunile săvârşite de către aceştia împotriva mea şi în legătură cu mine mi-au anulat toate şansele pe care orice copil din România ar trebui să le aibă în ceea ce priveşte dezvoltarea acestuia din punct de vedere social, cultural, şcolar, familial şi moral. Oare cine sunt în realitate cei care cu adevărat încalcă legea în această situaţie?

**În drept:**

Faţă de cele arătate mai sus, vă rog să binevoiţi a constata că este absolut evident că procurorii Bălan George, Chaborschi Grigore Anton, Cerbu Viorel şi Nica Andreea au încălcat într-o manieră flagrantă şi indubitabilă legea. Astfel, din:

**1. Legea nr.92/1992 (republicată) privind organizarea judecătorească,** legea în vigoare la data săvârşirii abaterilor, au fost încălcate următoarele dispoziţii legale:

- **art.4** care prevede că ***"Nimeni nu este mai presus de lege. Justiţia se înfăptuieşte în mod egal pentru toate persoanele, fără deosebire de rasă, de naţionalitate, de origne etnică, de limbă, de religie, de sex, de opinie, de apartenenţă politică, de avere sau de origine socială"***

- **art.27 pct.i** care prevede că ***"Apărarea drepturilor şi intereselor minorilor şi ale persoanelor puse sub interdicţie"***

- **art.115** care prevede că ***"Magistraţii nu pot să dea consultaţii scrise sau verbale în probleme litigioase, chiar dacă procesele respective sunt pe rolul altor instanţe decât cele la care îşi exercită funcţia, şi nici să-şi exprime public părerea asupra unor procese aflate în curs de desfăşurare."***

- **art.117** care prevede că ***"Magistraţii sunt obligaţi să respecte programul de lucru, să rezolve lucrările în termenele stabilite, să păstreze secretul deliberării şi să îndeplinească toate îndatoririle ce le revin potrivit legilor şi regulamentelor."***

- **art.118** care prevede că ***"Magistraţii sunt datori să se abţină de la orice acte sau fapte de natură să compromită demnitatea lor în funcţie şi în societate".***

- **art.121** care prevede că ***"Magistraţii răspund disciplinar pentru abaterile de la îndatoririle de serviciu, precum şi pentru comportările care dăunează interesului serviciului sau prestigiului justiţiei".***

- **art.122 pct e, g şi i** care prevăd că "**Sunt abateri disciplinare:**

**e)nerespectarea secretului deliberării sau a confidenţialităţii lucrărilor care au acest caracter;**

**g)manifestările care aduc atingere onoarei sau probităţii profesionale;**

**i) neglijenţă repetată în rezolvarea lucrărilor.**

- **art.123** care prevede că "Sancţiunile disciplinare ce se pot aplica magistraţilor în raport cu gravitatea abaterilor sunt:

a) observaţia;

b) mustrare;

diminuarea salariului de bază cu până la 15% pe o perioadă de la 1 la 3 luni;

c) mutarea disciplinară pentru o perioadă de 1-3 luni la o instanţă sau la un Parchet situate pe raza teritorială a aceleiaşi Curţi de Apel respectiv Parchet de pe lângă aceasta;

d) suspendarea din funcţie pe timp de maxim 6 luni;

e) îndepărtarea din magistratură.

În timpul suspendării din funcţie, magistratului nu i se plăteşte salariul. Această perioadă nu se ia în calculul drepturilor la pensie şi al vechimii în funcţia de magistrat.

2. Din **CODUL DEONTOLOGIC al procurorilor adoptat în şedinţa din 24 X 1996 a Consiliului Ministerului Public** au fost încălcare următoarele reguli de conduită ale procurorilor:

**A.** Procurorii trebuie să respecte supremaţia legii.

**B.** Procurorii trebuie să apere îndeplinirea puterii judecătoreşti, descurajând prin întreaga lor conduită orice imixtiune în activitatea judiciară.

**C.** Procurorii trebuie să promoveze în întreaga lor activitate imparţialitatea.

**D.** Procurorii trebuie să apere egalitatea cetăţenilor în faţa legii.

**E.** Procurorii trebuie să apere demnitatea persoanelor implicate în procedurile judiciare.

**F.** Procurorii trebuie să asigure exercitarea dreptului la apărare a persoanelor implicate în procedurile judiciare.

**G.** Procurorii trebuie să promoveze celeritatea procedurilor pentru restabilirea cât mai grabnică a ordinii de drept încălcate.

3. Au fost incalcate totodata dispozitiile prevazute in Lege nr.303/2004 privind statutul magistratilor, Legea nr.304/2004 privind organizarea judiciara precum si noul Cod deontologic al magistratilor. Astfel,

a) **din Legea 303/2004: art.5 alin.1; art.9 alin.1 si 2; art.32 alin.1; art.89; art.90 alin.2; art.95 alin.1; art.97 b),e),g),j),m);**

b) **din Codul deontologic al magistratilor: art.11 alin.2, art.18**

## CAPITOLUL III

În dovedirea celor prezentate de subsemnata în prezentul memoriu de declanşare a acţiunii disciplinare faţă de procurorii mai sus amintiţi înţeleg să mă folosesc de următoarele probe: înscrisuri, materiale audio-video, martori, interogatoriul procurorilor şi orice altă probă pe care Colegiul de conducere o va considera utilă în soluţionarea justă şi cu celeritate a cauzei.

În concluzie, vă solicit să binevoiţi a lua în considerare prezentul memoriu formulat de subsemnata şi în urma cercetărilor prealabile pe care le veţi efectua să dispuneţi:

**1. Declanşarea acţiunii disciplinare împotriva procurorilor mai sus amintiţi;**
**2. Sancţionarea disciplinară a acestora şi pe cale de consecinţă;**
**3. Excluderea acestora din magistratură, precum şi angajarea răspunderii civile a procurorilor sancţionaţi.**

**Vă mulţumesc!**

**Data: 23.02.2005**

**Semnătura,**
**DUMITRU MĂDĂLINA**

# Memorandum addressed to the Superior Council of the Magistrates for initiating disciplinary actions against the prosecutors

CONSILIUL SUPERIOR AL MAGISTRATURII
REGISTRATURA GENERALĂ
Nr. 2677/SCM/23.03.2004

**Către CONSILIUL SUPERIOR AL MAGISTRATURII,**
**Comisia de Disciplină**
Bucureşti, str. Petofi Sandor, nr.47, sector 1

**MEMORIU,**

Subsemnata **DUMITRU MĂDĂLINA** – cetăţean român, domiciliată în judeţul Constanţa, com. Costineşti, Str. Gării, nr.99, **cu domiciliul ales în Bucureşti, str. Mihail Sebastian, nr.136, bl.V 90, sc.1, ap.20, sector 5,** fiica lui Vasile şi a lui Tanţa, posesoare a C.I. seria KT nr.151797 eliberată de Poliţia Eforie la data de 29.09.2000,

în temeiul **art. 95 alin. 1** din **Legea nr.303/2004** privind **statutul magistraţilor** coroborat cu **art. 45 si urm.** din **Legea 317/2004** privind **Consiliul Superior al Magistraturii**, formulez, depun şi susţin prezentul

**MEMORIU DE DECLANŞARE A ACTIUNII DISCIPLINARE**
**împotriva procurorilor:**

**1.BĂLAN GEORGE**-Procuror General în cadrul Parchetului de pe lângă Curtea de Apel Bucureşti;
**2.CHABORSCHI ANTON GRIGORE** – procuror în cadrul Parchetului de pe lângă Curtea de Apel Bucuresti;
**3. CERBU VIOREL** - fost procuror al Parchetului de pe lângă Curtea de Apel Bucureşti;
**4. NICA ANDREEA** – procuror din cadrul Parchetului de pe lângă Tribunalul Bucureşti,

prin care vă solicit să binevoiţi a convoca Colegiul de conducere şi ca urmare a cercetărilor pe care le veţi efectua să dispuneţi:

1. **Declanşarea acţiunii disciplinare împotriva procurorilor mai sus amintiţi;**
2. **Sancţionarea disciplinară a acestora şi pe cale de consecinţă;**
3. **Excluderea acestora din magistratură, precum şi angajarea răspunderii civile a procurorilor sancţionaţi.**

Îmi întemeiez prezentul Memoriu pe următoarele considerente de fapt şi de drept:

**CAPITOLUL I - Scurt istoric**

Subsemnata am fost introdusă ca parte vătămată în Dosarul de urmărire penală nr. 720/P/2003 aflat în cercetări în cadrul Parchetului de pe lângă Curtea de Apel Bucureşti şi instrumentat de procurorii mai sus amintiţi.

Am fost introdusă în cauză încă din 18.03.2004 cu ocazia descinderilor în forță a peste 300 de jandarmi şi 16 procurori. Cu ocazia percheziției domiciliare efectuate la imobilul din București, str. Vasile Grozavu nr.2, sector 5, am fost trezită din somn şi, fiind sumar îmbrăcată, am fost agresată fizic şi verbal de către jandarmi şi totodată am fost filmată de cameramanul Parchetului. Evident că tot materialul filmat cu subsemnata din timpul percheziției a rămas în posesia reprezentanților Parchetului.

Atât în timpul percheziției, cât şi ulterior pe tot parcursul urmăririi penale efectuată în Dosarul 720/P/2003, deşi se presupunea că eu sunt aşa-zisa "parte vătămată" a inculpatul Bivolaru Gregorian, am fost supusă la o tortură fizică şi psihică de neimaginat de către procurori, tortură care n-ar fi putut fi suportată probabil de nici un adult, nu mai spunem de un minor aşa cùm eram eu la data respectivă.

Astfel:

- am fost ținută de jandarmi cu arma de foc la tâmplă ore în şir;
- am fost practic târâtă la Parchet unde am fost obligată să dau o declarație care nu concordă în nici un fel cu voința mea.

În acest sens am fost amenințată, şantajată. Nu mi s-a permis să fiu asistată şi reprezentată juridic de nici un avocat, deşi am solicitat insistent în nenumărate rânduri aceasta. Nu mi s-a adus la cunoştință cauza în care dau declarații, nu mi s-a spus în ce calitate dau aceste declarații şi nici care îmi sunt drepturile. Nu mi s-au luat în considerare plângerile ulterioare pe care le-am efectuat în legătură cu modul cum am fost audiată în data de 18.03.2004 şi nici nu am mai fost reaudiată niciodată în această cauză, deşi am solicitat expres acest lucru. Am fost obligată să efectuez o exepertiză medico-legală cu care nu am fost de acord. În acest sens am fost hărțuită, agresată fizic şi moral, şantajată, şi am fost supusă la mari presiuni psihice care au avut un efect deosebit de traumatizant. Am fost dusă cu forța în alt oraş, respectiv Constanța, unde am fost plasată fără voia mea la familia Iordache (sora şi cumnatul meu), unde practic am fost sechestrată, fiind permanent păzită şi urmărită de polițişti.

- nu mi s-a mai permis să-mi urmez cursurile liceale, subsemnata fiind elevă în clasa a XI-a la Liceul Economic "Viilor" din București;
- am fost supusă oprobiului şi disprețului public, colegii mei de şcoală, profesorii, prietenii, familia, rudele, societatea civilă m-au dezavuat, m-au discreditat, m-au marginalizat.

Toate acestea au putut fi posibile datorită acțiunilor complet ilegale, lipsite de orice etică şi conduită profesională ale procurorilor care instrumentau cazul şi care au înmânat reprezentanților presei scrise şi televiziunilor din România materialul probator din Dosarul de urmărire penală nr.720/P/2003: casetele video înregistrate cu ocazia percheziției, fotografii cu subsemnata, înscrisuri şi manuscrise, obiecte personale, informații legate de viața privată, familială şi şcolară (situația şcolară, foaia matricolă, etc.).

Însuşi Procurorul General al Parchetului Curții de Apel București a apărut în fața camerelor de filmat şi în legătură cu materialul probator care a fost pus la dispoziția mass-mediei de către subalternii dumnealui a declarat în fața tuturor televiziunilor că: "sunt sigur că şi mass-media va fi mai mult decât interesată" !!!?

Față de cele relatate anterior pe scurt, consider că procurorii care au instrumentat Dosarul nr.720/P/2003 au săvârşit într-un mod deosebit de grav abateri disciplinare.

**CAPITOLUL II - Abaterile disciplinare săvârşite**

Acțiunea procurorilor Bălan George, Chaborschi Grigore Anton, Cerbu Viorel şi Nica Andreea etc. de a pune la dispoziția televiziunilor şi presei scrise din România casetele filmate cu ocazia percheziției domiciliare din data de 18.03.2004, precum şi o parte din materialul de cercetare penală în care figurează subsemnata, reprezintă o abatere disciplinară deosebit de gravă şi care face ca aceşti procurori să nu mai poată fi asociați cu noțiunea de magistrați.

Astfel:

**a) Aceştia au pus la dispoziția televiziunilor şi presei casetele video filmate de cameraman sub directa subordonare a d-nei procuror Nica Andreea, cu ocazia percheziției din 18.03.2004** la imobilul în care mă aflam din Bucureşti, sector 5, str. Vasile Grozavu, nr.2. Întreg publicul telespectator din România a putut viziona imagini cu subsemnata îmbrăcată sumar în care apăreau prim-planuri cu chipul meu. Astfel, aceste imagini au apărut în perioada mai-septembrie 2004 de zeci de ori la toate posturile de televiziune. Au apărut la "Jurnal" pe postul TV România la ore de maximă audiență: 20.00, 22.00, 23.00. Au apărut la emisiunea "Observator , programul de ştiri al Antenei 1. Au apărut la "Ştirile" de la ProTV de nenumărate ori, fiind anterior superpromovate informațiile. De asemenea, au apărut la PRIMA TV şi la B1TV.

Aceste imagini în care subsemnata eram aproape dezbrăcată îmi prezentau chipul în prim-plan, fără să fie blurat (cenzurat) şi care m-au pus pe mine într-o postură extrem de umilitoare şi jignitoare, **încălcându-mi astfel dreptul fundamental la imagine şi la viață privată**. Totodată, procurorii mai sus amintiți sunt **autorii morali** ai faptului că lucrătorii televiziunilor au montat imaginile de pe casetele furnizate în aşa fel încât imaginea să fie asociată de către publicul telespectator şi cu ideea că aş fi "o fată de condiție îndoielnică, imorală, care întreține relații sexuale cu persoane de acelaşi sex, respectiv cu prietena mea, Farcaşi Mirona, că apar pe chat-uri erotice etc." Tot acest montaj a fost posibil datorită acțiunilor reprobabile ale procurorilor care au contribuit în mod direct la prezentarea unor ştiri complet neadevărate, **ştiri care mi-au afectat într-un mod ireversibil imaginea, dreptul la viață privată, la intimitate** etc. ***Procurorii mai sus amintiți sunt coautori alături de reprezentanții televiziunilor la încălcarea deciziei C.N.A. nr.57 din 13.03.2003 privind protecția minorilor în cadrul serviciilor de programe***.

**b)** Procurorii Bălan George, Chaborschi Gr. Anton, Cerbu Viorel şi Nica Andreea, prin abaterile disciplinare săvârşite, **au demonstrat cu prisosință că aceştia au manifestat o totală ignoranță şi nepăsare în ceea ce priveşte nevoia de protecție şi îngrijire specială a minorului**. S-au dovedit total dezinteresați de valorile şi idealurile democratice proclamate de Cartea Națiunilor Unite şi Convenția Europeană a

Drepturilor Omului în ceea ce priveşte creşterea şi educaţia copilului. Astfel, mai sus amintiţii procurori, cu evidentă nonşalanţă şi **încălcând în continuare principiul confidenţialităţii**, au pus la dispoziţia ziariştilor şi reporterilor de televiziune casete audio-video şi fotografii care conţineau imagini cu subsemnata, precum şi înscrisuri şi manuscrisuri personale, toate acestea fiind ridicate cu ocazia percheziţiilor efectuate în 18.03.2004. Evident, acestea au fost difuzate într-o manieră obsesivă pe toate posturile de ştiri de televiziune din ţară. Acestea au putut fi vizionate de zeci de ori, la posturi de televiziune importante, fiind promovate permanent ca ştiri "bombă" şi reluate la emisiunile prezentate în "reluare". Astfel, au apărut la ştirile de la ora 17, 18, 19, 20, 22, 23, atât la TV România, cât şi la "Observator" la Antena 1, la emisiunea "Focus" la Prima TV, la OTV, la Pro TV, la Naţional TV etc. Astfel, **toţi românii au putut viziona imagini cu subsemnata care prezentau aspecte din viaţa mea privată, încălcându-mi-se astfel toate drepturile şi libertăţile prevăzute de legile interne şi internaţionale**. M-am simţit profund umilită, lipsită de apărare, violată în intimitatea mea, transformată într-o victimă a procurorilor, ziariştilor şi reporterilor de televiziune. Aceştia au fost practic coautori la săvârşirea infracţiunilor prevăzute şi sancţionate de Deciziile C.N.A.-ului în care printre altele se prevede foarte clar şi imperativ că sunt "interzise difuzarea de imagini, fotografii, interviuri sau declaraţii ale minorilor care sunt (...) victimele infracţiunilor, fără consimţământul acestora." Nu numai că aceşti procurori m-au oferit spre devorare publicului din România, dar aceeaşi magistraţi, care ar fi trebuit să fie nişte apărători ai justiţiei şi care ar fi trebuit să-şi respecte jurămintele profesionale şi Codul Deontologic, mi-au încălcat toate drepturile şi libertăţile profesionale. Oare aceşti procurori nu sunt părinţi, nu au nepoţi în propriile familii? S-au gândit măcar şi pentru o secundă ce crimă morală au produs prin modul în care m-au tratat şi m-au expus? Au încercat măcar şi pentru o secundă să se pună în locul meu sau să-şi imagineze ce ar simţi copiii sau nepoţii dumnealor dacă ar trăi evenimentele pe care aceşti procurori m-au obligat să le trăiesc?

**c)** Oare s-au gândit la toate acestea şi atunci **când au pus la dispoziţia ziariştilor şi reporterilor de televiziune toate informaţiile privitoare la activitatea şi viaţa mea de şcolar?** Astfel, în urma demersurilor efectuate în calitate de procurori, aceştia au obţinut informaţii despre liceul pe care îl frecventam, despre situaţia mea şcolară, despre foaia mea matricolă, despre relaţiile mele cu colegii şi profesorii. Deşi toate acestea ar fi trebuit să reprezinte informaţii care intră în categoria "secret profesional", magistraţii mai sus amintiţi, dovedind o lipsă de moralitate şi profesionalism greu de imaginat le-au pus la dispoziţia mass-mediei.

Oare ai cui apărători erau de fapt aceşti procurori, căci în ceea ce priveşte apărarea justiţiei, a drepturilor şi libertăţilor fundamentale ale cetăţenilor, ale drepturilor şi intereselor copilului în nici un caz! Totodată, aceşti procurori, prin deciziile pe care le-au luat în timpul exercitării atribuţiilor de serviciu şi care au determinat mutarea mea forţată la Constanţa, au contribuit practic la anihilarea mea din punct de vedere şcolar, profesional şi social, întrucât, din cauza dumnealor, subsemnata mi-am întrerupt cursurile liceale, pierzând astfel întregul an şcolar. S-au gândit aceşti

procurori cum voi mai putea eu să mă reintegrez în societate? Cum îmi voi mai putea relua activitatea şcolară? Cum voi fi privită de colegii de şcoală şi de profesori? S-au gândit domnii procurori că practic niciodată nu voi mai fi tratată ca ceilalţi adolescenţi din România? S-au gândit că prin toate acţiunile săvârşite de către aceştia împotriva mea şi în legătură cu mine mi-au anulat toate şansele pe care orice copil din România ar trebui să le aibă în ceea ce priveşte dezvoltarea acestuia din punct de vedere social, cultural, şcolar, familial şi moral. Oare cine sunt în realitate cei care cu adevărat încalcă legea în această situaţie?

**În drept:**

Faţă de cele arătate mai sus, vă rog să binevoiţi a constata că este absolut evident că procurorii Bălan George, Chaborschi Grigore Anton, Cerbu Viorel şi Nica Andreea au încălcat într-o manieră flagrantă şi indubitabilă legea. Astfel, din:

**1. Legea nr.92/1992 (republicată) privind organizarea judecătorească,** legea în vigoare la data săvârşirii abaterilor, au fost încălcate următoarele dispoziţii legale:

- **art.4** care prevede că ***"Nimeni nu este mai presus de lege. Justiţia se înfăptuieşte în mod egal pentru toate persoanele, fără deosebire de rasă, de naţionalitate, de origne etnică, de limbă, de religie, de sex, de opinie, de apartenenţă politică, de avere sau de origine socială"***.

- **art.27 pct.i** care prevede că ***"Apărarea drepturilor şi intereselor minorilor şi ale persoanelor puse sub interdicţie"***.

- **art.115** care prevede că ***"Magistraţii nu pot să dea consultaţii scrise sau verbale în probleme litigioase, chiar dacă procesele respective sunt pe rolul altor instanţe decât cele la care îşi exercită funcţia, şi nici să-şi exprime public părerea asupra unor procese aflate în curs de desfăşurare."***

- **art.117** care prevede că ***"Magistraţii sunt obligaţi să respecte programul de lucru, să rezolve lucrările în termenele stabilite, să păstreze secretul deliberării şi să îndeplinească toate îndatoririle ce le revin potrivit legilor şi regulamentelor."***

- **art.118** care prevede că ***"Magistraţii sunt datori să se abţină de la orice acte sau fapte de natură să compromită demnitatea lor în funcţie şi în societate".***

- **art.121** care prevede că ***"Magistraţii răspund disciplinar pentru abaterile de la îndatoririle de serviciu, precum şi pentru comportările care dăunează interesului serviciului sau prestigiului justiţiei".***

- **art.122 pct e, g şi i** care prevăd că **"Sunt abateri disciplinare:**

**e)nerespectarea secretului deliberării sau a confidenţialităţii lucrărilor care au acest caracter;**

**g)manifestările care aduc atingere onoarei sau probităţii profesionale;**

**i) neglijenţă repetată în rezolvarea lucrărilor.**

- **art.123** care prevede că "Sancţiunile disciplinare ce se pot aplica magistraţilor în raport cu gravitatea abaterilor sunt:

a) observaţia;

b) mustrare;

diminuarea salariului de bază cu până la 15% pe o perioadă de la 1 la 3 luni;

c) mutarea disciplinară pentru o perioadă de 1-3 luni la o instanţă sau la un Parchet situate pe raza teritorială a aceleiaşi Curţi de Apel respectiv Parchet de pe lângă aceasta;

d) suspendarea din funcţie pe timp de maxim 6 luni;

e) îndepărtarea din magistratură.

În timpul suspendării din funcţie, magistratului nu i se plăteşte salariul. Această perioadă nu se ia în calculul drepturilor la pensie şi al vechimii în funcţia de magistrat.

**2.** Din **CODUL DEONTOLOGIC al procurorilor adoptat în şedinţa din 24 X 1996 a Consiliului Ministerului Public** au fost încălcare următoarele reguli de conduită ale procurorilor:

**A.** Procurorii trebuie să respecte supremaţia legii.

**B.** Procurorii trebuie să apere îndeplinirea puterii judecătoreşti, descurajând prin întreaga lor conduită orice imixtiune în activitatea judiciară.

**C.** Procurorii trebuie să promoveze în întreaga lor activitate imparţialitatea.

**D.** Procurorii trebuie să apere egalitatea cetăţenilor în faţa legii.

**E.** Procurorii trebuie să apere demnitatea persoanelor implicate în procedurile judiciare.

**F.** Procurorii trebuie să asigure exercitarea dreptului la apărare a persoanelor implicate în procedurile judiciare.

**G.** Procurorii trebuie să promoveze celeritatea procedurilor pentru restabilirea cât mai grabnică a ordinii de drept încălcate.

**3.** Au fost incalcate totodata dispozitiile prevazute in Lege nr.303/2004 privind statutul magistratilor, Legea nr.304/2004 privind organizarea judiciara precum si noul Cod deontologic al magistratilor. Astfel,

**a) din Legea 303/2004: art.5 alin.1; art.9 alin.1 si 2; art.32 alin.1; art.89; art.90 alin.2; art.95 alin.1; art.97 b),c),g),j),m);**

**b) din Codul deontologic al magistratilor: art.11 alin.2, art.18**

**CAPITOLUL III**

În dovedirea celor prezentate de subsemnata în prezentul memoriu de declanşare a acţiunii disciplinare faţă de procurorii mai sus amintiţi înţeleg să mă folosesc de următoarele probe: înscrisuri, materiale audio-video, martori, interogatoriul procurorilor şi orice altă probă pe care Colegiul de conducere o va considera utilă în soluţionarea justă şi cu celeritate a cauzei.

În concluzie, vă solicit să binevoiţi a lua în considerare prezentul memoriu formulat de subsemnata şi în urma cercetărilor prealabile pe care le veţi efectua să dispuneţi:

**1. Declanşarea acţiunii disciplinare împotriva procurorilor mai sus amintiţi;**
**2. Sancţionarea disciplinară a acestora şi pe cale de consecinţă;**
**3. Excluderea acestora din magistratură, precum şi angajarea răspunderii civile a procurorilor sancţionaţi.**

**Vă mulţumesc!**

**Data: 23.02.2005**

**Semnătura,**
**DUMITRU MĂDĂLINA**

**Memos and complaint against the prosecutors that was submitted by my lawyer, Georgescu Cătălin**

CONSILIUL SUPERIOR AL MAGISTRATURII
Biroul Registratură. Secretariat și Arhivă
Nr. 1/6500/1434/5.10.12

CABINET DE AVOCATURA
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Nr. 42 Data : 3.10.2012

**Către,**

**CONSILIUL SUPERIOR AL MAGISTRATURII**
**Secția disciplinară**

**Ref. Dosar penal nr. 405/85/2005**
**ÎNALTA CURTE DE CASAȚIE ŞI JUSTIȚIE**
**Complet special**

*Subsemnatul avocat Georgescu Cătălin, apărător al lui DUMITRU MĂDĂLINA, parte vătămată în cauza sus menționată, respectuos vă aduc la cunoştință urmatoarele încălcări/restrângeri inacceptabile ale dreptului la apărare şi comportamentul non-etic al magistratului Ionuț Matei care încalcă flagrant dreptul la un proces echitabil.*

*Precizez că prin cererea nr. 22 din11.09.2012 pe care o depun alăturat ne-am adresat Dnei. Președinte DOINA LIVIA STANCIU cu referire la şedința de judecată din 3.09.2012, solicitând sesizarea organelor disciplinare în legătură cu săvârşirea de către magistratul Ionuț Matei a abaterilor prevăzute de art. 99 lit. h din Legea nr. 303/2004 (cerere rămasă fără efect).*

*Vă solicit să aveți în vedere cele semnalate (care pot constitui abateri disciplinare) şi să monitorizați litigiul şi comportamentul magistratului Ionuț Matei.*

1. DUMITRU MĂDĂLINA, parte vătămată în cauză, a fost audiată la termenul de judecată din 12.04.2012 cu încălcarea art. 385 [14] din Codul de procedură penală. Printr-un memoriu depus la dosarul cauzei, partea vătămată a învederat tratamentul "dur" aplicat la audiere de magistratul Ionuț Matei (semnificativă este şi optica

reprezentantei Ministerului Public, care i-a adresat întrebări **inculpatei**, adică părții vătămate). Deși partea vătămată a învederat cu ocazia audierii abuzurile pe care le-a suferit în timpul anchetei (poziție exprimată constant în timpul procesului), se pare că magistrații nu doresc să lămurească și ignoră aceste fapte, poziție pe care constant o manifestă ulterior. Urmarea acestei "audieri procedurale" pentru parte vătămată-o nouă victimizare (consecințele fiind dovedite cu documente de examinare psihologică) și expunere în public (cererea de declarare a ședinței secrete fiind respinsă).

2. Cererile de declarare a ședinței secrete formulate de partea vătămată sunt respinse **sistematic** (la termenul din 3.09.2012). La termenul din 13.07.2012 magistratul a declarat "parțial" (numai pe durata audierii inculpatei Farcaşi Mirona) ședința secretă, ceea ce este de natură să aducă o serioasă atingere dreptului părții vătămate la o viață privată ferită de imixtiuni, precum și reputației și dreptului la o bună și fidelă imagine publică. Semnificativă este și poziția reprezentantei Ministerului Public, dna. Procuror Kuglay, care la termenul din 13.07.2012, a solicitat să se aibă în vedere la soluționarea cererii de declarare a ședinței secrete că *"trebuie evaluat în ce măsură în acest stadiu procesual acest efect (de încălcare a vieții private, n.n.) s-ar putea produce, în condițiile în care cauza a fost prezentată public."* A fost arătat în repetate rânduri pe parcursul judecății și ținem să subliniem acest aspect: cauza "a fost făcută publică" prin comportamentul ilegal și flagrant nedeontologic al magistraților procurori și al organelor de anchetă care în faza de urmărire penală au pus informații și documente la dispoziția jurnaliștilor împreună cu informații defăimătoare la adresa părții vătămate (care nu puteau proveni decât din surse judiciare), și care i-au adus acesteia un imens și ireparabil prejudiciu. **Nu am fost lasați să susținem aceste cereri!**

3. Pentru a doua oară (prima oară fiind în ședința din 13.07.2012) nu mi s-a permis să susțin cererile prin care invocam nulități procesuale. Acest comportament incalificabil nu este întrecut decât de motivarea scrisă pe care o reproduc și care nu îndeplinește cerințele unei motivări adecvate: *"Instanța, deliberând, a arătat că, în raport cu limitele deciziei de casare, stadiul procesual actual este acela al administrării probatoriului, aspect constatat de altfel și la termenul anterior, când Curtea a dispus citarea martorilor din rechizitoriu, astfel că orice referiri la alte excepții, care conform regulilor de desfășurare a judecății în primă instanță trebuie invocate*

*înainte de începerea cercetării judecătoreşti, conform art. 320 C.p.p., nu pot fi discutate în acest cadru procesual".* Cu aceeaşi motivare verbală-*"că limitele rejudecării au fost stabilite prin decizia de casare"*, magistratul respinge cererea întemeiată pe prevederile art. 197 alin. 2 şi 3 din Codul de procedură penală, fără a mi se da posibilitatea să susţin această cerere. Imparţialitatea magistratului, în opinia mea, în această situaţie, este serios pusă în discuţie, întrucât aspectele de nulitate (absolută) care vizau nelegalităţi semnificative (necompetenţa etc.) nu pot fi ignorate (în fapt nici măcar nu au fost ascultate) fără a fi înfrânt principiul legalităţii. Nici un argument teoretic şi jurisprudenţial nu este acceptat (cu comentarii din partea magistratului de genul *"aici suntem la Curtea Supremă, nu ne interesează practica altor instanţe!!!"*)(şi precizez că am invocat chiar jurisprudenţa Înaltei Curţi şi doctrinari de prestigiu!). Semnificativă (chiar o veritabilă antepronunţare) este măsura dispusă cu privire la nulităţile absolute dispusă la termenul de judecată din 25.09.2012 –acestea *"se unesc cu fondul!!!"*. Nerespectarea normelor substanţiale şi procesuale referitoare la regimul nulităţilor (absolute) constituie un veritabil abuz!

4. Personal sunt îngrijorat de faptul că magistratul nu asigură neutralitatea şi echilibrul între acuzare şi apărare.Toate întrebările puse de mine martorului care vizau influenţarea martorilor de către organele de anchetă (în fapt, lucrătorii de poliţie au contactat şi "consiliat" orice persoană care putea furniza direct sau indirect orice informaţii) sunt sistematic respinse. Optica acuzatorială este însă bine formată prin întrebări precise; martorii sunt întrebaţi (amănunţit) despre aspecte de fapt pe care nu le cunosc direct. La termenul de judecată din 25.09.2012 întrebările puse în acest sens sunt respinse, deşi există indicii temeinice în acest sens-unul din martori a confirmat că susţinerile sale au fost "sistematizate şi reformulate" de organele de anchetă. Sunt în mod real îngrijorat de faptul că instanţa nu doreşte să lămurească în mod real condiţiile în care au fost luate declaraţiile părţii vătămate în timpul anchetei. Partea vătămată nu numai că nu s-a bucurat de protecţia organelor judiciare, minoră fiind în momentul anchetei, dar a fost brutalizată, şicanată şi defăimată prin supunerea mea unui tratament nejustificat, motive pentru care se consideră o victimă a reprezentanţilor Ministerului Public şi va solicita angajarea răspunderii acestora.

5. În mod vădit magistratul Ionuţ Matei nu dovedeşte o imparţialitate subiectivă (personală) şi face afirmaţii în şedinţă publică referitoare la avocaţi (care sunt "avocaţi ascunşi ai inculpatului") şi

alte observaţii din care rezultă evident că desconsideră pe apărători. Cererile şi susţinerile noastre nu sunt consemnate, sunt respinse "autoritar" şi fie suntem invitaţi să stăm jos, fie instanţa ridică şedinţa şi părăseşte sala! Abundă "comentariile "(jignitoare, direct sau indirect-de exemplu, la ultimul termen, în bășcălie,"noroc că vin la acest proces ca să învăț procedura"), grimasele (faţă de anumite declaraţii ale martorilor) – personal îmi exprim protestul faţă de acest comportament, iar dacă veţi investiga şi alţi avocaţi care au avut cauze soluţionate de magistratul Ionuţ Matei sunt convins că veţi întâlni nu frecvent, ci uzual acest comportament. Cred că ar fi oportună înregistrarea video a şedinţelor de judecată sau prezenţa unui judecător inspector la şedinţele de judecată ale magistratului Ionuţ Matei (precizăm şi că acesta are obiceiul de a conduce singur şedinţa, nu se consultă cu ceilalţi membri ai completului, respinge singur, din scaun, cererile pe care nu are cum să le cunoască cu anticipaţie!).

**Vă rog să aveţi în vedere că nu dorim să interveniţi în administrarea actului de justiţie, vă rugăm să nu trataţi birocratic cererea noastră (ci în spiritul unui remediu eficient) şi nu dorim decât instrumentarea imparţială a acestei sesizări disciplinare.**

Cu stimă,

Av.Georgescu Cătălin

CABINET DE AVOCATURA

GEORGESCU CĂTĂLIN

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Nr. 22 Data : 11.09.2012

**Înatenția Dnei. Președinte Doina Livia STANCIU**
**Ref. Dosar penal nr. 405/85/2005 Complet special**
**Ședința de judecată din 3.09.2012**

*Subsemnatul avocat Georgescu Catalin, apărător al lui DUMITRU MĂDĂLINA, parte vătămată în cauză, respectuos vă aduc la cunoștință urmatoarele încălcări/restrângeri inacceptabile ale dreptului la apărare și comportamentul non-etic al magistratului Ionuț Matei care încalcă flagrant dreptul la un proces echitabil :*

1. DUMITRU MĂDĂLINA, parte vătămată în cauză, a fost audiată la termenul de judecată din 12.04.2012 cu încălcarea art. 385 [14] din Codul de procedură penală. Printr-un memoriu depus la dosarul cauzei, partea vătămată a învederat tratamentul "dur" aplicat la audiere de magistratul Ionuț Matei (semnificativă este și optica reprezentantei Ministerului Public, care i-a adresat întrebări **inculpatei**, adică părții vătămate). Deși partea vătămată a învederat cu ocazia audierii abuzurile pe care le-a suferit în timpul anchetei (poziție exprimată constant în timpul procesului), se pare că magistrații nu doresc să lămurească și ignoră aceste fapte, poziție pe care constant o manifestă ulterior. Urmarea acestei "audieri procedurale" pentru parte vătămată-o nouă victimizare (consecințele fiind dovedite cu documente de examinare psihologică) și expunere în public (cererea de declarare a ședinței secrete fiind respinsă).

2. Cererile de declarare a ședinței secrete formulate de partea vătămată sunt respinse (la termenul din 3.09.2012). La termenul din 13.07.2012 magistratul a declarat "parțial" (numai pe durata audierii inculpatei Farcaș Mirona) ședința secretă, ceea ce este de natură să aducă o serioasă atingere dreptului părții vătămate la o viață privată ferită de imixtiuni, precum și [illegible] și dreptului la o bună și fidelă

imagine publică. Semnificativă este şi poziţia reprezentantei Ministerului Public, dna. Procuror Kuglay, care la termenul din 13.07.2012, a solicitat să se aibă în vedere la soluţionarea cererii de declarare a şedinţei secrete că *"trebuie evaluat în ce măsură în acest stadiu procesual acest efect (de încălcare a vieţii private, n.n.) s-ar putea produce, în condiţiile în care cauza a fost prezentată public."* A fost arătat în repetate rânduri pe parcursul judecăţii şi ţinem să subliniem acest aspect: cauza "a fost făcută publică" prin comportamentul ilegal şi flagrant nedeontologic al magistraţilor procurori şi al organelor de anchetă care în faza de urmărire penală au pus informaţii şi documente la dispoziţia jurnaliştilor împreună cu informaţii defăimătoare la adresa părţii vătămate (care nu puteau proveni decât din surse judiciare), şi care i-au adus acesteia un imens şi ireparabil prejudiciu. Nu am fost lasaţi să susţinem aceste cereri!

3. Pentru a doua oară (prima oară fiind în sedinţa din 13.07.2012) nu mi s-a permis să susţin cererile prin care invocam nulităţi procesuale. Acest comportament incalificabil nu este întrecut decât de motivarea scrisă pe care o reproduc şi care nu îndeplineşte cerinţele unei motivări adecvate: *"instanţa, deliberând, a arătat că, în raport cu limitele deciziei de casare, stadiul procesual actual este acela al administrării probatoriului, aspect constatat de altfel şi la termenul anterior, când Curtea a dispus citarea martorilor din rechizitoriu, astfel că orice referiri la alte excepţii, care conform regulilor de desfăşurare a judecăţii în primă instanţă trebuie invocate înainte de începerea cercetării judecătoreşti, conform art. 320 C.p.p., nu pot fi discutate în acest cadru procesual"*. Cu aceeaşi motivare verbală-*"că limitele rejudecării au fost stabilite prin decizia de casare"*, magistratul respinge cererea întemeiată pe prevederile art. 197 alin. 2 şi 3 din Codul de procedură penală, fără a mi se da posibilitatea să susţin această cerere. Imparţialitatea magistratului, în opinia mea, în această situaţie, este serios pusă în discuţie, întrucât aspectele de nulitate (absolută) care vizau nelegalităţi semnificative (necompetenţa etc.) nu pot fi ignorate (în fapt nici măcar nu au fost ascultate) fără a fi *înfrânt principiul legalităţii. Nici un argument teoretic şi jurisprudenţial* nu este acceptat.

4. Personal sunt îngrijorat de faptul că magistratul nu asigură neutralitatea şi echilibrul între acuzare şi apărare.Toate întrebările puse de mine martorilor care vizau influenţarea martorilor de către organele de anchetă (ofiţerii lucrători de poliţie au contactat şi

"consiliat" orice persoană care putea furniza direct sau indirect orice informații) sunt sistematic respinse. Optica acuzatorială este însă bine formată prin întrebări precise; martorii sunt întrebați (amănunțit) despre aspecte de fapt pe care nu le cunosc direct. Mă întreb cu îngrijorare dacă instanța va dori să lămurească în mod real condițiile în care au fost luate declarațiile părții vătămate în timpul anchetei. Partea vătămată nu numai că nu s-a bucurat de protecția organelor judiciare, minoră fiind în momentul anchetei, dar a fost brutalizată, șicanată și defăimată prin supunerea mea unui tratament nejustificat, motive pentru care se consideră o victimă a reprezentanților Ministerului Public și va solicita angajarea răspunderii acestora.

5. În mod vădit magistratul Ionuț Matei nu dovedește o imparțialitate personală și face afirmații în ședință publică referitoare la avocați (care sunt "avocați ascunși ai inculpatului") și alte observații din care rezultă evident că desconsideră pe apărători. Cererile și susținerile noastre nu sunt consemnate, sunt respinse "autoritar" și fie suntem invitați să stăm jos, fie instanța ridică ședința și părăsește sala!

**Vă rog să aveți în vedere cele mai sus semnalate și în cazul în care veți aprecia că s-au săvârșit abaterile prevăzute de art. 99 lit. h din Legea nr. 303/2004 să sesizați organele disciplinare.**

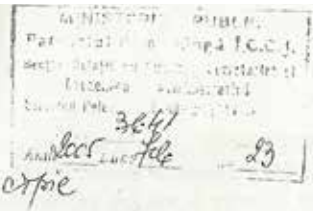
Cu stimă,

Av.Georgescu Cătălin

GEORGESCU CĂTĂLIN

**DOAMNEI PREȘEDINTE A ÎNALTEI CURTI DE CASAȚIE ȘI JUSTIȚIE**

# Memorandum addressed to the Prosecutor's Office of the ICCJ for initiating disciplinary actions against the prosecutors



Către PARCHETUL DE PE LÂNGĂ
ÎNALTA CURTE DE CASAȚIE ȘI JUSTIȚIE,
București, b-dul Libertății, nr.14, sector 5

## MEMORIU,

Subsemnata **DUMITRU MĂDĂLINA** – cetățean român, domiciliată în județul Constanța, com. Costinești, Str. Gării, nr.99, **cu domiciliul ales în București, str. Mihail Sebastian, nr.136, bl.V 90, sc.1, ap.20, sector 5,** fiica lui Vasile și a lui Tanța, posesoare a C.I. seria KT nr.151797 eliberată de Poliția Eforie la data de 29.09.2000,

În temeiul **art. 95 alin. 1 din Legea nr.303/2004** privind **statutul magistraților** coroborat cu **art. 45 si urm.** din **Legea 317/2004** privind **Consiliul Superior al Magistraturii**, formulez, depun și susțin prezentul

**MEMORIU DE DECLANȘARE A ACTIUNII DISCIPLINARE**
**împotriva procurorilor:**

1.**BĂLAN GEORGE**-Procuror General în cadrul Parchetului de pe lângă Curtea de Apel București;
2.**CHABORSCHI ANTON GRIGORE** – procuror în cadrul Parchetului de pe lângă Curtea de Apel Bucuresti;
3. **CERBU VIOREL** - fost procuror al Parchetului de pe lângă Curtea de Apel București;
4. **NICA ANDREEA** – procuror din cadrul Parchetului de pe lângă Tribunalul București,

prin care vă solicit să binevoiți a convoca Colegiul de conducere și ca urmare a cercetărilor pe care le veți efectua să dispuneți:

1. **Declanșarea acțiunii disciplinare împotriva procurorilor mai sus amintiți;**
2. **Sancționarea disciplinară a acestora și pe cale de consecință;**
3. **Excluderea acestora din magistratură, precum și angajarea răspunderii civile a procurorilor sancționați.**

Îmi întemeiez prezentul Memoriu pe următoarele considerente de fapt și de drept:

CAPITOLUL I - Scurt istoric

Subsemnata am fost introdusă ca parte vătămată în Dosarul de urmărire penală nr. 720/P/2003 aflat în cercetări în cadrul Parchetului de pe lângă Curtea de Apel București și instrumentat de procurorii mai sus amintiți.

Am fost introdusă în cauză încă din 18.03.2004 cu ocazia descinderilor în forță a peste 300 de jandarmi și 16 procurori. Cu ocazia percheziției domiciliare efectuate la imobilul din București, str. Vasile Grozavu nr.2, sector 5, am fost trezită din somn și, fiind sumar îmbrăcată, am fost agresată fizic și verbal de către jandarmi și totodată am fost filmată de cameramanul Parchetului. Evident că tot materialul filmat cu subsemnata din timpul percheziției a rămas în posesia reprezentanților Parchetului

Atât în timpul percheziției, cât și ulterior pe tot parcursul urmăririi penale efectuată în Dosarul 720/P/2003, deși se presupunea că eu sunt așa-zisa "parte vătămată" a inculpatul Bivolaru Gregorian, am fost supusă la o tortură fizică și psihică de neimaginat de către procurori, tortură care n-ar fi putut fi suportată probabil de nici un adult, nu mai spunem de un minor așa cum eram eu la data respectivă.

Astfel:

- am fost ținută de jandarmi cu arma de foc la tâmplă ore în șir;
- am fost practic târâtă la Parchet unde am fost obligată să dau o declarație care nu concordă în nici un fel cu voința mea.

În acest sens am fost amenințată, șantajată. Nu mi s-a permis să fiu asistată și reprezentată juridic de nici un avocat, deși am solicitat insistent în nenumărate rânduri aceasta. Nu mi s-a adus la cunoștință cauza în care dau declarații, nu mi s-a spus în ce calitate dau aceste declarații și nici care îmi sunt drepturile. Nu mi s-au luat în considerare plângerile ulterioare pe care le-am efectuat în legătură cu modul cum am fost audiată în data de 18.03.2004 și nici nu am mai fost reaudiată niciodată în această cauză, deși am solicitat expres acest lucru. Am fost obligată să efectuez o exepertiză medico-legală cu care nu am fost de acord. În acest sens am fost hărțuită, agresată fizic și moral, șantajată, și am fost supusă la mari presiuni psihice care au avut un efect deosebit de traumatizant. Am fost dusă cu forța în alt oraș, respectiv Constanța, unde am fost plasată fără voia mea la familia Iordache (sora și cumnatul meu), unde practic am fost sechestrată, fiind permanent păzită și urmărită de polițiști.

- nu mi s-a mai permis să-mi urmez cursurile liceale, subsemnata fiind elevă în clasa a XI-a la Liceul Economic "Viilor" din București;
- am fost supusă oprobiului și disprețului public, colegii mei de școală, profesorii, prietenii, familia, rudele, societatea civilă m-au dezavuat, m-au discreditat, m-au marginalizat.

Toate acestea au putut fi posibile datorită acțiunilor complet ilegale, lipsite de orice etică și conduită profesională ale procurorilor care instrumentau cazul și care au înmânat reprezentanților presei scrise și televiziunilor din România materialul probator din Dosarul de urmărire penală nr.720/P/2003: casetele video înregistrate cu ocazia percheziției, fotografii cu subsemnata, înscrisuri și manuscrise, obiecte personale, informații legate de viața privată, familială și școlară (situația școlară, foaia matricolă, etc.).

Însuși Procurorul General al Parchetului Curții de Apel București a apărut în fața camerelor de filmat și în legătură cu materialul probator care a fost pus la dispoziția mass-mediei de către subalternii dumnealui a declarat în fața tuturor televiziunilor că "sunt sigur că și mass-media va fi mai mult decât interesată" !!!?

Față de cele relatate anterior pe scurt, consider că procurorii care au instrumentat Dosarul nr.720/P/2003 au săvârșit într-un mod deosebit de grav abateri disciplinare.

CAPITOLUL II - **Abaterile disciplinare săvârșite**

Acțiunea procurorilor Bălan George, Chaborschi Grigore Anton, Cerbu Viorel și Nica Andreea etc. de a pune la dispoziția televiziunilor și presei scrise din România casetele filmate cu ocazia percheziției domiciliare din data de 18.03.2004, precum și o parte din materialul de cercetare penală în care figurează subsemnata, reprezintă o abatere disciplinară deosebit de gravă și care face ca acești procurori să nu mai poată fi asociați cu noțiunea de magistrați.

Astfel

**a) Aceștia au pus la dispoziția televiziunilor și presei casetele video filmate de cameraman sub directa subordonare a d-nei procuror Nica Andreea, cu ocazia percheziției din 18.03.2004** la imobilul în care mă aflam din București, sector 5, str. Vasile Grozavu, nr.2. Întreg publicul telespectator din România a putut viziona imagini cu subsemnata îmbrăcată sumar în care apăreau prim-planuri cu chipul meu. Astfel, aceste imagini au apărut în perioada mai-septembrie 2004 de zeci de ori la toate posturile de televiziune. Au apărut la "Jurnal" pe postul TV România la ore de maximă audiență: 20.00, 22.00, 23.00. Au apărut la emisiunea "Observator , programul de știri al Antenei 1. Au apărut la "Știrile" de la ProTV de nenumărate ori, fiind anterior superpromovate informațiile. De asemenea, au apărut la PRIMA TV și la BITV.

Aceste imagini în care subsemnata eram aproape dezbrăcată îmi prezentau chipul în prim-plan, fără să fie blurat (cenzurat) și care m-au pus pe mine într-o postură extrem de umilitoare și jignitoare, **încălcându-mi astfel dreptul fundamental la imagine și la viață privată**. Totodată, procurorii mai sus amintiți sunt **autorii morali** ai faptului că lucrătorii televiziunilor au montat imaginile de pe casetele furnizate în așa fel încât imaginea să fie asociată de către publicul telespectator și cu ideea că aș fi "o fată de condiție îndoielnică, imorală, care întreține relații sexuale cu persoane de același sex, respectiv cu prietena mea, Farcași Mirona, că apar pe chat-uri erotice etc." Tot acest montaj a fost posibil datorită acțiunilor reprobabile ale procurorilor care au contribuit în mod direct la prezentarea unor știri complet neadevărate, **știri care mi-au afectat într-un mod ireversibil imaginea, dreptul la viață privată, la intimitate** etc. ***Procurorii mai sus amintiți sunt coautori alături de reprezentanții televiziunilor la încălcarea deciziei C.N.A. nr.57 din 13.03.2003 privind protecția minorilor în cadrul serviciilor de programe***.

**b)** Procurorii Bălan George, Chaborschi Gr. Anton, Cerbu Viorel și Nica Andreea, prin abaterile disciplinare săvârșite, **au demonstrat cu prisosință că aceștia au manifestat o totală ignoranță și nepăsare în ceea ce privește nevoia de protecție și îngrijire specială a minorului**. S-au dovedit total dezinteresați de valorile și idealurile democratice proclamate de Cartea Națiunilor Unite și Convenția Europeană a

Drepturilor Omului în ceea ce priveşte creşterea şi educaţia copilului. Astfel, mai sus amintiţii procurori, cu evidentă nonşalanţă şi **încălcând în continuare principiul confidenţialităţii**, au pus la dispoziţia ziariştilor şi reporterilor de televiziune casete audio-video şi fotografii care conţineau imagini cu subsemnata, precum şi înscrisuri şi manuscrisuri personale, toate acestea fiind ridicate cu ocazia percheziţiilor efectuate în 18.03.2004. Evident, acestea au fost difuzate într-o manieră obsesivă pe toate posturile de ştiri de televiziune din ţară. Acestea au putut fi vizionate de zeci de ori, la posturi de televiziune importante, fiind promovate permanent ca ştiri "bombă" şi reluate la emisiunile prezentate în "reluare". Astfel, au apărut la ştirile de la ora 17, 18, 19, 20, 22, 23, atât la TV România, cât şi la "Observator" la Antena 1, la emisiunea "Focus" la Prima TV, la OTV, la Pro TV, la Naţional TV etc. Astfel, **toţi românii au putut viziona imagini cu subsemnata care prezentau aspecte din viaţa mea privată, încălcându-mi-se astfel toate drepturile şi libertăţile prevăzute de legile internaţionale**. M-am simţit profund umilită, lipsită de apărare, violată în intimitatea mea, transformată într-o victimă a procurorilor, ziariştilor şi reporterilor de televiziune. Aceştia au fost practic coautori la săvârşirea infracţiunilor prevăzute şi sancţionate de Deciziile C.N.A.-ului în care printre altele se prevede foarte clar şi imperativ că sunt "interzise difuzarea de imagini, fotografii, interviuri sau declaraţii ale minorilor care sunt (...) victimele infracţiunilor, fără consimţământul acestora." Nu numai că aceşti procurori m-au oferit spre devorare publicului din România, dar aceeaşi magistraţi, care ar fi trebuit să fie nişte apărători ai justiţiei şi care ar fi trebuit să-şi respecte jurămintele profesionale şi Codul Deontologic, mi-au încălcat toate drepturile şi libertăţile profesionale. Oare aceşti procurori nu sunt părinţi, nu au nepoţi în propriile familii? S-au gândit măcar şi pentru o secundă ce crimă morală au produs prin modul în care m-au tratat şi m-au expus? Au încercat măcar şi pentru o secundă să se pună în locul meu sau să-şi imagineze ce ar simţi copiii sau nepoţii dumnealor dacă ar trăi evenimentele pe care aceşti procurori m-au obligat să le trăiesc?

c) Oare s-au gândit la toate acestea şi atunci **când au pus la dispoziţia ziariştilor şi reporterilor de televiziune toate informaţiile privitoare la activitatea şi viaţa mea de şcolar?** Astfel, în urma demersurilor efectuate în calitate de procurori, aceştia au obţinut informaţii despre liceul pe care îl frecventam, despre situaţia mea şcolară, despre foaia mea matricolă, despre relaţiile mele cu colegii şi profesorii. Deşi toate acestea ar fi trebuit să reprezinte informaţii care intră în categoria "secret profesional", magistraţii mai sus amintiţi, dovedind o lipsă de moralitate şi profesionalism greu de imaginat le-au pus la dispoziţia mass-mediei.

Oare ai cui apărători erau de fapt aceşti procurori, căci în ceea ce priveşte apărarea justiţiei, a drepturilor şi libertăţilor fundamentale ale cetăţenilor, ale drepturilor şi intereselor copilului în nici un caz! Totodată, aceşti procurori, prin deciziile pe care le-au luat în timpul exercitării atribuţiilor de serviciu şi care au determinat mutarea mea forţată la Constanţa, au contribuit practic la anihilarea mea din punct de vedere şcolar, profesional şi social, întrucât, din cauza dumnealor, subsemnata mi-am întrerupt cursurile liceale, pierzând astfel întregul an şcolar. S-au gândit aceşti

procurori cum voi mai putea eu să mă reintegrez în societate? Cum îmi voi mai putea relua activitatea şcolară? Cum voi fi privită de colegii de şcoală şi de profesori? S-au gândit domnii procurori că practic niciodată nu voi mai fi tratată ca ceilalţi adolescenţi din România? S-au gândit că prin toate acţiunile săvârşite de către aceştia împotriva mea şi în legătură cu mine mi-au anulat toate şansele pe care orice copil din România ar trebui să le aibă în ceea ce priveşte dezvoltarea acestuia din punct de vedere social, cultural, şcolar, familial şi moral. Oare cine sunt în realitate cei care cu adevărat încalcă legea în această situaţie?

În drept:

Faţă de cele arătate mai sus, vă rog să binevoiţi a constata că este absolut evident că procurorii Bălan George, Chaborschi Grigore Anton, Cerbu Viorel şi Nica Andreea au încălcat într-o manieră flagrantă şi indubitabilă legea. Astfel, din:

1. **Legea nr.92/1992 (republicată) privind organizarea judecătorească,** legea în vigoare la data săvârşirii abaterilor, au fost încălcate următoarele dispoziţii legale:

- art.4 care prevede că *"Nimeni nu este mai presus de lege. Justiţia se înfăptuieşte în mod egal pentru toate persoanele, fără deosebire de rasă, de naţionalitate, de origine etnică, de limbă, de religie, de sex, de opinie, de apartenenţă politică, de avere sau de origine socială".*

- art.27 pct.i care prevede că *"Apărarea drepturilor şi intereselor minorilor şi ale persoanelor puse sub interdicţie"*

- art.115 care prevede că *"Magistraţii nu pot să dea consultaţii scrise sau verbale în probleme litigioase, chiar dacă procesele respective sunt pe rolul altor instanţe decât cele la care îşi exercită funcţia, şi nici să-şi exprime public părerea asupra unor procese aflate în curs de desfăşurare."*

- art.117 care prevede că *"Magistraţii sunt obligaţi să respecte programul de lucru, să rezolve lucrările în termenele stabilite, să păstreze secretul deliberării şi să îndeplinească toate îndatoririle ce le revin potrivit legilor şi regulamentelor."*

- art.118 care prevede că *"Magistraţii sunt datori să se abţină de la orice acte sau fapte de natură să compromită demnitatea lor în funcţie şi în societate".*

- art.121 care prevede că *"Magistraţii răspund disciplinar pentru abaterile de la îndatoririle de serviciu, precum şi pentru comportările care dăunează interesului serviciului sau prestigiului justiţiei".*

- **art.122 pct e, g şi i** care prevăd că **"Sunt abateri disciplinare:**

**e)nerespectarea secretului deliberării sau a confidenţialităţii lucrărilor care au acest caracter;**

**g)manifestările care aduc atingere onoarei sau probităţii profesionale;**

**i) neglijenţă repetată în rezolvarea lucrărilor.**

- **art.123** care prevede că "Sancţiunile disciplinare ce se pot aplica magistraţilor în raport cu gravitatea abaterilor sunt:

a) observaţia;

b) mustrare;

diminuarea salariului de bază cu până la 15% pe o perioadă de la 1 la 3 luni;

c) mutarea disciplinară pentru o perioadă de 1-3 luni la o instanţă sau la un Parchet situate pe raza teritorială a aceleiaşi Curţi de Apel respectiv Parchet de pe lângă aceasta;

d) suspendarea din funcţie pe timp de maxim 6 luni;

e) îndepărtarea din magistratură.

În timpul suspendării din funcţie, magistratului nu i se plăteşte salariul. Această perioadă nu se ia în calculul drepturilor la pensie şi al vechimii în funcţia de magistrat.

2. Din **CODUL DEONTOLOGIC al procurorilor adoptat în şedinţa din 24 X 1996 a Consiliului Ministerului Public** au fost încălcare următoarele reguli de conduită ale procurorilor:

A. Procurorii trebuie să respecte supremaţia legii.

B. Procurorii trebuie să apere îndeplinirea puterii judecătoreşti, descurajând prin întreaga lor conduită orice imixtiune în activitatea judiciară.

C. Procurorii trebuie să promoveze în întreaga lor activitate imparţialitatea.

D. Procurorii trebuie să apere egalitatea cetăţenilor în faţa legii.

E. Procurorii trebuie să apere demnitatea persoanelor implicate în procedurile judiciare.

F. Procurorii trebuie să asigure exercitarea dreptului la apărare a persoanelor implicate în procedurile judiciare.

G. Procurorii trebuie să promoveze celeritatea procedurilor pentru restabilirea cât mai grabnică a ordinii de drept încălcate.

3. Au fost incalcate totodata dispozitiile prevazute in Lege nr.303/2004 privind statutul magistratilor, Legea nr.304/2004 privind organizarea judiciara precum si noul Cod deontologic al magistratilor. Astfel,

a) **din Legea 303/2004: art.5 alin.1; art.9 alin.1 si 2; art.32 alin.1; art.89; art.90 alin.2; art.95 alin.1; art.97 b),e),g),j),m);**

b) **din Codul deontologic al magistratilor: art.11 alin.2, art.18**

CAPITOLUL III

În dovedirea celor prezentate de subsemnata în prezentul memoriu de declanşare a acţiunii disciplinare faţă de procurorii mai sus amintiţi înţeleg să mă folosesc de următoarele probe: înscrisuri, materiale audio-video, martori, interogatoriul procurorilor şi orice altă probă pe care Colegiul de conducere o va considera utilă în soluţionarea justă şi cu celeritate a cauzei.

În concluzie, vă solicit să binevoiţi a lua în considerare prezentul memoriu formulat de subsemnata şi în urma cercetărilor prealabile pe care le veţi efectua să dispuneţi:

**1. Declanşarea acţiunii disciplinare împotriva procurorilor mai sus amintiţi;**
**2. Sancţionarea disciplinară a acestora şi pe cale de consecinţă;**
**3. Excluderea acestora din magistratură, precum şi angajarea răspunderii civile a procurorilor sancţionaţi.**

**Vă mulţumesc!**

**Data: 23.02.2005**

**Semnătura,**
**DUMITRU MĂDĂLINA**

# Memorandum addressed to the Minister of Justice, Monica Macovei

6300
19. 01. 2006

**Către MINISTERUL JUSTIŢIEI,**
**ROMANIA, Bucureşti, Str.Apolodor,nr.17.sector 5.**

**DOAMNĂ MINISTRU MONICA MACOVEI,**

Subsemnata
**DUMITRU MĂDĂLINA** – cetăţean român, fiica lui Vasile şi a lui Tanţa, posesoare a C.I. seria KT nr.151797 eliberată de Poliţia Eforie la data de 29.09.2000,
**cu domiciliu ales la sediul profesional al Cabinetului de Avocatură "ADINA SOLOMON"** aflat in Bucureşti, Str. Mihail Sebastian nr.136, Bl.V90, sc.1, ap.20, sect.5 formulez, depun si susţin prezentul

## M E M O R I U

**prin care vă prezint in mod sintetic, încălcările flagrante ale legii, abuzurile grave si discriminările pe care magistraţii români (procurori si judecători) le-au efectuat în legătură cu SUBSEMNATA cu ocazia cercetărilor penale si a trimiterii în judecată a lui Bivolaru Gregorian.**

Astfel:

**18.03.2004** - cu ocazia descinderilor în forţă a peste 300 de jandarmi şi 16 procurori a fost percheziţionat şi imobilul în care mă aflam din **Bucureşti, str. Vasile Grozavu nr. 2, sector 5**. Procurorul care a coordonat percheziţia a fost **NICA ANDREEA – procuror delegat al Parchetului de pe lângă Tribunalul Bucureşti**.

- am fost trezită din somn şi, fiind sumar îmbrăcată, am fost agresată fizic şi verbal de către jandarmi şi, totodată, am fost filmată de către cameramanul Parchetului. Tot materialul filmat cu Subsemnata din timpul percheziţiei a rămas în posesia reprezentanţilor Parchetului;
- am fost ţinută de jandarmi cu arma de foc la tâmplă ore în şir;
- mi-au fost ridicate cantităţi masive de bunuri personale fără a fi prezentate Subsemnatei spre identificare şi semnate spre neschimbare, neavând nici o legătură cu dispoziţiile din autorizaţia de percheziţie semnată de judecător Lia Savone;
- am fost practic târâtă la Parchetul de pe lângă Curtea de Apel Bucureşti unde am fost reţinută cu forţa ore in şir fără nici un mandat de reţinere sau citaţie (precizez că anterior Subsemnata nu am efectuat niciodată vreo Plângere împotriva lui Bivloaru Gregorian sau a altui reprezentant MISA),

- am fost obligată să dau o declaraţie care nu concordă în nici un fel cu voinţa mea. În acest sens am fost ameninţată şi şantajată de către organele de anchetă cu lipsirea mea de libertate si cu aplicarea de rele tratatmente mie şi cunoscuţilor mei;
- nu mi s-a permis să fiu asistată şi reprezentată juridic de nici un avocat, deşi am solicitat insistent în nenumărate rânduri aceasta şi avocatul pe care doream să-l angajez sosise la Parchet;
- nu mi s-a adus la cunoştiinţă cauza în care dau declaraţii, nu mi s-a spus în ce calitate dau aceste declaraţii şi nici care îmi sunt drepturile;
- am fost agresată fizic şi psihic de către ofiţerul psiholog **lt.Raicu Alina** care a asistat la audierea mea.

**19.03.2004** - am efectuat Plângere împotriva tuturor actelor săvârşite împotriva mea de către anchetatori în data de 18.03.2004 şi mi-am retras totodată declaraţiile.Aceasta a fost înregistrată la Parchetul de pe lângă Curtea de Apel Bucureşti cu nr.455/19.03.2004. Deşi nu am fost niciodată audiată **Procurorul General al Parchetului de pe lângă Curtea de Apel Bucureşti GEORGE BĂLAN** mi-a respins personal aceastâ Plângere ca neîntemeiată prin Rezoluţia nr.977/VIII-1/2004 din data de 29.03.2004. Nu mi-a fost comunicată niciodată această rezoluţie (am aflat de aceasta atunci când dosarul a ajuns în instanţă).

**01.04.2004** – am intenţionat să efectuez o declaraţie în Dosarul nr.720/P/2003 în prezenţa avocatului Solomon Adina. Mi-a fost refuzată declaraţia de către **procurorii Cerbu Viorel şi Chaborschi Anton Grigore – procurori ai Parchetului de pe lângă Curtea de Apel Bucureşti.**
- reţinându-mă insă la Parchet şi invocând un mandat de aducere (deşi mă prezentasem din propriе iniţiativă la Parchet), procurorii mai sus amintiţi au dispus să mi se efectueze contra vointei mele o expertiză medico-legală genitala si anala la IML. M-au forţat cu escortă formată din mai multe maşini ale Poliţiei şi coordonate de **inspectorul de poliţie Ilieş Dumitru**;
- la IML, (însoţită fiind de avocatul meu ales), am fost reţinută cu forţa şi s-au exercitat represiuni extrem de traumatizante asupra mea: uşile spitalului au fost blocate şi flancate de către poliţişti, am fost reţinută cu forţa circa 4 ore în incinta institutului, am fost imbrâncită, agresată fizic şi psihic de către Ilieş Dumitru şi alţi lucrători ai poliţiei în încercarea acestora de a mă forţa să efectuez expertiza.
- în jurul orelor 17.00 am fost obligate (eu şi avocatul meu Solomon Adina) de către forţele speciale ale Poliţiei, din cadrul S.P.I.R. să intrăm într-o dubă a Poliţiei. Avocatul a fost insultat şi vătămat fizic. Am fost transportate în mare viteză (cu îndepărtarea din trafic a automobilelor), către Politia Capitalei unde am fost reţinută contra voinţei mele mai multe ore;
- în stare de reţinere am fost deplasată într-o dubă, în forţă şi contra voinţei mele, în oraşul Cons__ţa unde am fost cazată forţat de către organele de cercetare penală la familia surorii mele Iordache Florentina şi Iordache Marian

**01.04.2004-06.04.2004**: am fost lipsită de libertate în mod ilegal, am fost sechestrată la domiciliu, traumatizată şi terorizată: mi s-a interzis orice legătură cu exteriorul, am fost păzită permanent de lucrători ai Poliţiei şi SRI care stăteau permanent în faţa porţii şi patrulau pe stradă, mi-au creat stare de teroare şi încarcerare. Am fost batută de rude, ţinută nemâncată (rudele nu-mi dădeau hrană vegetariană) şi hărţuită sexual de cumnatul meu Iordache Marian. Nimeni dintre cunoscuţii mei logodnic,prieteni, avocat nu au ştiut unde sunt sechestrată şi lipsită de libertate ilegal;

**07.04.2004-22.04.2004:** Direcţia pentru Protecţia Copilului Constanţa in colaborare cu reprezentanţi Parchetului şi ai Poliţiei m-au încredinţat contra voinţei mele familiei Iordache Florentina şi Marian.
- am fost ţinută în continuare sechestrată la domiciliul acestora, fără acte de identitate, fără lucruri personale, fără să pot lua legătura cu exteriorul şi fiind permanent păzită de lucrători ai Poliţiei şi SRI
- nu mi s-a mai permis să-mi urmez cursurile liceale, Subsemnata fiind elevă în clasa a XI-a la Liceul Economic "Viilor" din Bucureşti, ulterior fiind chiar exmatriculată din cauza absenţelor;
- în 15 aprilie 2004, atât logodnicul cât şi prietenii mei, în încercările eşuate să ia legatura cu mine, m-au văzut, prin gardul casei respective, în timp ce eram lovită cu bestialitate de rude;

- vineri, 23 aprilie 2004, autoritățile au anunțat că Subsemnata, profitând de un moment de neatenție supraveghetorilor (?!), am fugit de acasă și că am fost dată în urmărire generală și în consemn frontieră;
- consemnul la frontieră s-a menținut până la sfârșitul lunii decembrie 2004;
- am fost supusă oprobiului și disprețului public, colegii mei de școală, profesorii, prietenii, famil rudele, societatea civilă m-au dezavuat, m-au discreditat, m-au marginalizat.

**18.03.2004- prezent** - printr-o acțiune complet ilegală, lipsită de orice etică și conduită profesională încălcând grav Codul deontologic al magistraților, procurorii care au instrumentat cazul au înmâna reprezentanților presei scrise și televiziunilor din România materialul probator privind pe Subsemnata din Dosarul de urmărire penală nr.720/P/2003: casetele video înregistrate cu ocazia percheziției fotografii cu Subsemnata, înscrisuri și manuscrise, obiecte personale, imagini private audio-videc informații legate de viața privată, familială și școlară (situația școlară, foaia matricolă, etc.).

Însuși Procurorul General al Parchetului Curții de Apel București George Bălan a apărut în fața camerelor de filmat și în legătură cu materialul probator care a fost pus la dispoziția mass-mediei dc către subalternii dumnealui a declarat în fața tuturor televiziunilor că: *"sunt sigur că și mass-media va f. mai mult decât interesată"*.

**23.02.2005** – am efectuat următoarele plângeri penale și memorii:
- Plângere Penală împotriva procurorului Bălan George înregistrată de Parchetul de pe lângă Î.C.C.J sub nr.3639. Nu am fost audiată niciodată în cauză. Nu am primit nici o soluție.
- Plângere Penală împotriva procurorilor Bălan George, Chaborschi Grigore Anton, Cerbu Viorel, Nica Andreea, inspectorului de poliție Ilieș Dumitru, psihologului lt. Raicu Alina, jandarmilor și polițiștilor, înregistrată de Parchetul de pe lângă Î.C.C.J sub nr.3637. Nu am fost audiată niciodată în cauză. Nu am primit nici o soluție.
- Memoriu de declanșare a acțiunii disciplinare împotriva magistraților în cauză care a fost înregistrat de Parchetul de pe lângă Î.C.C.J sub nr.3641, de către Ministerul Justiției sub nr.19035 și de către Consiliul Superior al Magistraturii sub2677/SR.
- Nu am fost audiată în nici una dintre plângerile formulate, nu mi s-a dat posibilitatea sa exprim oral cele prezentate în Plângeri, nu mi s-a creat posibilitatea să utilizez probe. Nu am primit nici o soluție.

Vă anexez în copie xerox plângerile la care am făcut referire în prezentul Memoriu

**Față de cele prezentate sintetic mai sus vă rog, DOAMNĂ MINISTRU, ca în virtutea și în limita drepturilor constituționale precum și a drepturilor cu care ați fost investită prin intermediul legilor speciale să binevoiți a cerceta cele învederate de Subsemnata și să dispuneți a-mi fi comunicată o copie a soluției pe care veți înțelege să o adoptați.**

**Vă mulțumesc.**

**prin av. Adina Solomon**

**petentă DUMITRU MĂDĂLINA**

**Request addressed to the CSM to find out the status of the research following the notifications made by me**

Serviciul de Relaţii cu Publicul, Registratură, Secretariat şi Protocol
Nr. 1141/24.01.06

**ROMANIA, Bucureşti, Calea Plevnei nr.141B,sector 6,**
**În atenţia Domnului Secretar General PÂRVU.**

Subsemnata
**DUMITRU MĂDĂLINA** – cetăţean român, fiica lui Vasile şi a lui Tanţa, posesoare a C.I. seria KT nr.151797 eliberată de Poliţia Eforie la data de 29.09.2000,
**cu domiciliu ales la sediul profesional al Cabinetului de Avocatură "ADINA SOLOMON"** aflat in Bucureşti, Str. Mihail Sebastian nr.136, Bl.V90, sc.1, ap.20, sect.5 în temeiul art.41 pct.e) şi f), art.44, art.45 pct.4, art.46 pct.3 indice 1 şi pct.3 indice 2, art.53 indice 2 lin Legea nr.317/2004 ( modificată) privind Consiliul Superior al Magistraturii, formulez, depun si susţin prezenta

**C E R E R E**

prin care vă solicit sa binevoiţi a-mi comunica următoarele :

1. **stadiul cercetărilor şi situaţia lucrărilor efectuate de către Comisia de disciplină ca urmare a sesizărilor efectuate de către Subsemnata către CSM;**
2. **inspectorul desemnat să efectueze cercetările amintite la pct.1**

**În subsidiar vă solicit să luaţi act şi să vă sesizaţi din oficiu asupra faptelor penale săvârşite de o serie de procurori şi judecători în legătură cu care Subsemnata am efectuat Plângeri penale şi nu am primit nici o soluţie nici până în prezent.**

Astfel:

**I. Situatia Plângerilor penale şi a Memoriilor efectuate de către Subsmnata:**

- ***Memoriu de declanşare a acţiunii disciplinare*** împotriva magistraţilor în cauză care a fost înregistrat de Parchetul de pe lângă Î.C.C.J sub nr.3641/23.02.2005, de către Ministerul Justiţiei sub nr.19035/23.02.2005 şi de către Consiliul Superior al Magistraturii sub2677/SR723.02.2005. Nu am primit nici o soluţie.
- ***Plângere Penală împotriva procurorului Bălan George*** înregistrată de Parchetul de pe lângă Î.C.C.J sub nr.3639/23.02.2005. Nu am fost audiată niciodată în cauză. Nu am primit nici o soluţie.
- ***Plângere Penală împotriva procurorilor Bălan George, Chaborschi Grigore Anton, Cerbu Viorel, Nica Andreea, inspectorului de poliţie Ilieş Dumitru, psihologului lt. Raicu Alina***, jandarmilor şi poliţiştilor, înregistrată de Parchetul de pe lângă Î.C.C.J sub nr.3637/23.02.2005. Nu am fost audiată niciodată în cauză. Nu am primit nici o soluţie.

**Menţionez că nu am fost audiată în nici una dintre plângerile formulate, nu mi s-a dat posibilitatea sa exprim oral cele prezentate în Plângeri, nu mi s-a creat posibilitatea să utilizez probe. Nu am primit nici o soluţie.**

*Notă: Vă anexez la prezenta Cerere copii tip xerox a plângerilor şi memoriilor la care am făcut referire*

1/3

**II. Sinteză privitoare la încălcările flagrante ale legii, abuzurile grave şi discriminările pe car. magistraţii români (procurori si judecători) le-au efectuat în legătură cu SUBSEMNATA cu ocazia cercetărilor penale si a trimiterii în judecată a lui Bivolaru Gregorian.**

Astfel:

**18.03.2004** - cu ocazia descinderilor în forţă a peste 300 de jandarmi şi 16 procurori a fost percheziţionat şi imobilul în care mă aflam din **Bucureşti, str. Vasile Grozavu nr. 2, sector 5.** Procurorul care a coordonat percheziţia a fost **NICA ANDREEA – procuror delegat al Parchetului de pe lângă Tribunalul Bucureşti**.

- am fost trezită din somn şi, fiind sumar îmbrăcată, am fost agresată fizic şi verbal de către jandarmi şi, totodată, am fost filmată de către cameramanul Parchetului. Tot materialul filmat cu Subsemnata din timpul percheziţiei a rămas în posesia reprezentanţilor Parchetului;
- am fost ţinută de jandarmi cu arma de foc la tâmplă ore în şir;
- mi-au fost ridicate cantităţi masive de bunuri personale fără a fi prezentate Subsemnatei spre identificare şi semnate spre neschimbare, neavând nici o legătură cu dispoziţiile din autorizaţia de percheziţie semnată de judecător Lia Savone;
- am fost practic târâtă la Parchetul de pe lângă Curtea de Apel Bucureşti unde am fost reţinută cu fo ore in şir fără nici un mandat de reţinere sau citaţie (precizez că anterior Subsemnata nu am efectuat niciodată vreo Plângere împotriva lui Bivloaru Gregorian sau a altui reprezentant MISA);
- am fost obligată să dau o declaraţie care nu concordă în nici un fel cu voinţa mea. În acest sens am fost ameninţată şi şantajată de către organele de anchetă cu lipsirea mea de libertate si cu aplicarea de rele tratatmente mie şi cunoscuţilor mei;
- nu mi s-a permis să fiu asistată şi reprezentată juridic de nici un avocat, deşi am solicitat insistent în nenumărate rânduri aceasta şi avocatul pe care doream să-l angajez sosise la Parchet;
- nu mi s-a adus la cunoştinţă cauza în care dau declaraţii, nu mi s-a spus în ce calitate dau aceste declaraţii şi nici care îmi sunt drepturile;
- am fost agresată fizic şi psihic de către ofiţerul psiholog **lt.Raicu Alina** care a asistat la audierea mea.

**19.03.2004** - am efectuat Plângere împotriva tuturor actelor săvârşite împotriva mea de către anchetatori in data de 18.03.2004 şi mi-am retras totodată declaraţiile.Aceasta a fost înregistrată la Parchetul de pe lângă Curtea de Apel Bucureşti cu nr.455/19.03.2004. Deşi nu am fost niciodată audiată **Procurorul General al Parchetului de pe lângă Curtea de Apel Bucureşti GEORGE BĂLAN** mi-a respins personal această Plângere ca neîntemeiată prin Rezoluţia nr.977/VIII-1/2004 din data de 29.03.2004. Nu mi-a fost comunicată niciodată această rezoluţie (am aflat de aceasta atunci când dosarul a ajuns în instanţă).

**01.04.2004** am intenţionat să efectuez o declaraţie în Dosarul nr.720/P/2003 în prezenţa avocatului Solomon Adina. Mi-a fost refuzată declaraţia de către **procurorii Cerbu Viorel şi Chaborschi Anton Grigore – procurori ai Parchetului de pe lângă Curtea de Apel Bucureşti.**

- reţinându-mă însă la Parchet şi invocând un mandat de aducere (deşi mă prezentasem din proprie iniţiativă la Parchet), procurorii mai sus amintiţi au dispus să mi se efectueze contra voinţei mele o expertiză medico-legală genitala si anala la IML. M-au forţat cu escortă formată din mai multe maşini ale Poliţiei şi coordonate de **inspectorul de poliţie Ilieş Dumitru**;
- la IML, (însoţită fiind de avocatul meu ales), am fost reţinută cu forţa şi s-au exercitat represiuni extrem de traumatizante asupra mea: uşile spitalului au fost blocate şi flancate de către poliţişti, am fost reţinută cu forţa circa 4 ore în incinta institutului, am fost imbrâncită, agresată fizic şi psihic de către Ilieş Dumitru şi alţi lucrători ai poliţiei în încercarea acestora de a mă forţa să efectuez expertiza.
- în jurul orelor 17.00 am fost obligate (eu şi avocatul meu Solomon Adina) de către forţele speciale ale Poliţiei, din cadrul S.P.I.R. să intrăm într-o dubă a Poliţiei. Avocatul a fost insultat şi vătămat fizic. Am fost transportate în mare viteză (cu îndepărtarea din trafic a automobilelor), către Politia Capitalei unde am fost reţinută contra voinţei mele mai multe ore;
- în stare de reţinere am fost deplasată într-o dubă, în forţă şi contra voinţei mele, în oraşul Constanţa unde am fost cazată forţat de către organele de cercetare penală la familia surorii mele Iordache Florentina şi Iordache Marian

**01.04.2004-06.04.2004**: am fost lipsită de libertate în mod ilegal, am fost sechestrată la domici. traumatizată şi terorizată: mi s-a interzis orice legătură cu exteriorul, am fost păzită permanent de lucrători ai Poliţiei şi SRI care stăteau permanent în faţa porţii şi patrulau pe stradă, mi-au creat stare de teroare şi încarcerare. Am fost batută de rude, ţinută nemâncată (rudele nu-mi dădeau hrană vegetariană) şi hărţuită sexual de cumnatul meu Iordache Marian. Nimeni dintre cunoscuţii mei: logodnic,prieteni, avocat nu au ştiut unde sunt sechestrată şi lipsită de libertate ilegal;

**07.04.2004-22.04.2004:** Direcţia pentru Protecţia Copilului Constanţa in colaborare cu reprezentanţi Parchetului şi ai Poliţiei m-au încredinţat contra voinţei mele familiei Iordache Florentina şi Marian.

- am fost ţinută în continuare sechestrată la domiciliul acestora, fără acte de identitate, fără lucrur personale, fără să pot lua legătura cu exteriorul şi fiind permanent păzită de lucrători ai Poliţiei şi SRI;
- nu mi s-a mai permis să-mi urmez cursurile liceale, Subsemnata fiind elevă în clasa a XI-a la Liceu Economic "Viilor" din Bucureşti, ulterior fiind chiar exmatriculată din cauza absenţelor;
- în 15 aprilie 2004, atât logodnicul cât şi prietenii mei, în încercările eşuate să ia legatura cu mine, m-au văzut, prin gardul casei respective, în timp ce eram lovită cu bestialitate de rude;
- vineri, 23 aprilie 2004, autorităţile au anunţat că Subsemnata, profitând de un moment de neatenţie a supraveghetorilor, am fugit de acasă şi că am fost dată în urmărire generală şi în consemn la frontieră;
- consemnul la frontieră s-a menţinut până la sfârşitul lunii decembrie 2004;
- am fost supusă oprobiului şi disprețului public, colegii mei de şcoală, profesorii, prietenii, familia, rudele societatea civilă m-au dezavuat, m-au discreditat, m-au marginalizat.

**18.03.2004- prezent** - printr-o acţiune complet ilegală, lipsită de orice etică şi conduită profesională, încălcând grav Codul deontologic al magistraţilor, procurorii care au instrumentat cazul au înmânat reprezentanţilor presei scrise şi televiziunilor din România materialul probator privind pe Subsemnata din Dosarul de urmărire penală nr.720/P/2003: casetele video înregistrate cu ocazia percheziţiei, fotografii cu Subsemnata, înscrisuri şi manuscrise, obiecte personale, imagini private audio-video informaţii legate de viaţa privată, familială şi şcolară (situaţia şcolară, foaia matricolă, etc.).

Însuşi Procurorul General al Parchetului Curţii de Apel Bucureşti George Bălan a apărut în faţa camerelor de filmat şi în legătură cu materialul probator care a fost pus la dispoziţia mass-mediei de către subalternii dumnealui a declarat în faţa tuturor televiziunilor că: *"sunt sigur că şi mass-media va fi mai mult decât interesată"*.

**Faţă de cele prezentate sintetic mai sus vă rog, DOAMNULE SECRETAR GENERAL, ca în virtutea şi în limita drepturilor constituţionale precum şi a drepturilor cu care aţi fost investit prin intermediul legilor speciale să binevoiţi a cerceta cele învedera şi să dispuneţi a-mi fi comunicată o copie a soluţiei pe care veţi înţelege să o adoptaţi, conform cu solicitările efectuate de către Subsemnata în petitul prezentei Cereri.**

**Vă mulţumesc.**

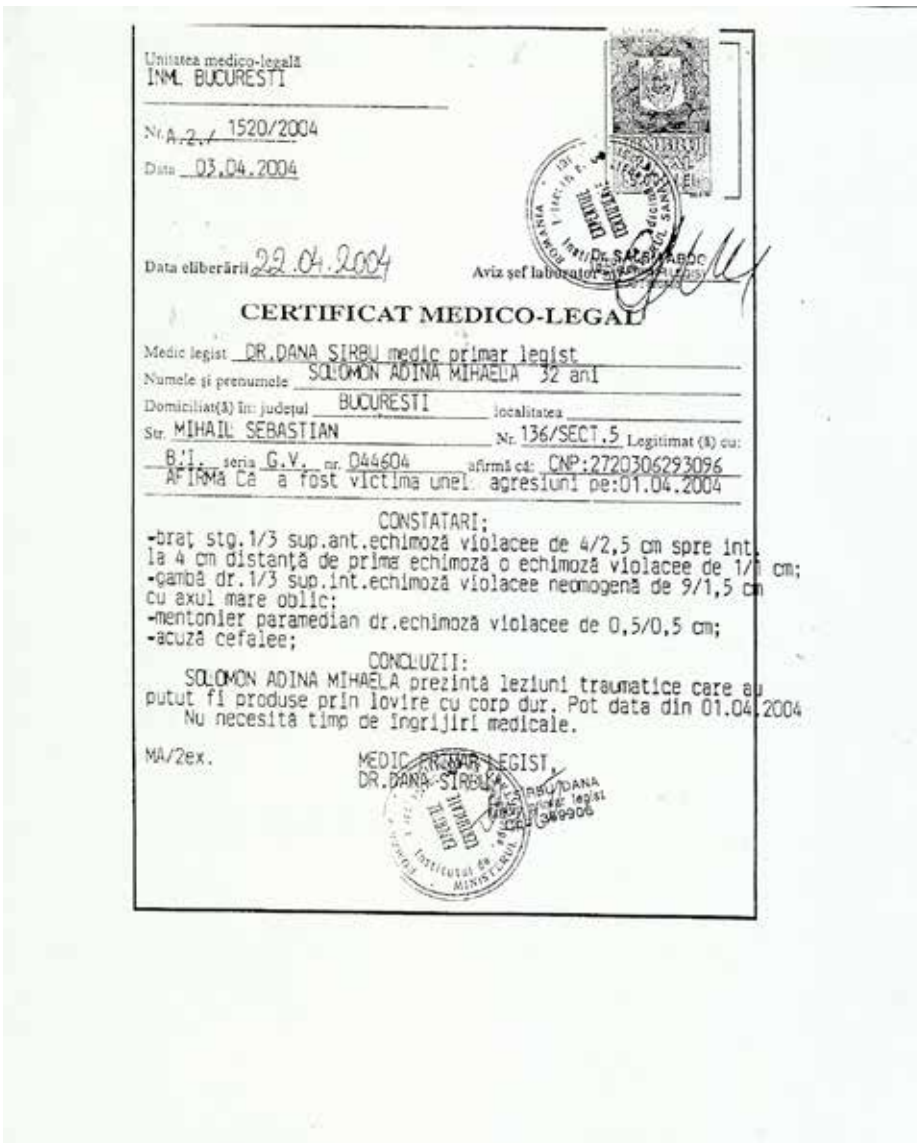
**prin av. Adina Solomon**

ADINA SOLOMON

**petentă DUMITRU MĂDĂLINA**

Semnătură
Dumitru

**Evidence of abuses, memoranda, referrals and recusal requests that were submitted by my lawyer, Adina Solomon but were rejected as unfounded by the ICCJ Prosecutor's Office**



Unitatea medico-legală
INML BUCUREŞTI

Nr. A.2./ 1520/2004

Data 03.04.2004

Data eliberării 22.04.2004

Aviz şef laborator Dr. SAS [illegible] doc

CERTIFICAT MEDICO-LEGAL

Medic legist DR.DANA SIRBU medic primar legist

Numele şi prenumele SOLOMON ADINA MIHAELA 32 ani

Domiciliat(ă) în: judeţul BUCUREŞTI localitatea

Str. MIHAIL SEBASTIAN Nr. 136/SECT.5 Legitimat (ă) cu:

B.I. seria G.V. nr. 044604 afirmă că: CNP:2720306293096

AFIRMA CĂ a fost victima unei agresiuni pe:01.04.2004

CONSTATARI:

-braţ stg.1/3 sup.ant.echimoză violacee de 4/2,5 cm spre int. la 4 cm distanţă de prima echimoză o echimoză violacee de 1/1 cm;
-gambă dr.1/3 sup.int.echimoză violacee neomogenă de 9/1,5 cm cu axul mare oblic;
-mentonier paramedian dr.echimoză violacee de 0,5/0,5 cm;
-acuză cefalee;

CONCLUZII:

SOLOMON ADINA MIHAELA prezintă leziuni traumatice care au putut fi produse prin lovire cu corp dur. Pot data din 01.04.2004
Nu necesită timp de îngrijiri medicale.

MA/2ex.

MEDIC PRIMAR LEGIST,
DR.DANA SIRBU

BAROUL BUCURESTI
CABINET INDIVIDUAL DE AVOCATURA
**"ADINA SOLOMON"**

PARCHETUL DE PE LANGA CURTEA DE APEL BUCURESTI
DOSAR PENAL NR.:720 / P / 2003
TERMEN: 02.04.2004

28/05.04.2004

**DOMNULE PROCUROR GENERAL BALAN GEORGE,**

Subsemnata **SOLOMON ADINA** – avocat delegat in **Dosarul penal nr. 720/P/2003 aflat la Parchetul de pe langa Curtea de Apel Bucuresti** in baza Contractului de asistenta juridica nr 198.839 din data 23.03.2004, intervenit intre Cabinetul Individual de Avocatura "Adina Solomon", in care figurez ca titulara, si **Dra. DUMITRU MADALINA**, cu domiciliul ales in Bucuresti, str. Vasile Grozavu nr. 2, sector 5, formulez, depun si sustin prezentul

## MEMORIU

Prin care va solicit sa binevoiti a dispune urmatoarele:

1. **Motivarea in fapt si in drept** pentru care din data de 01.04.2004, intr-un mod flagrant abuziv si total nelegal mi-ati intrerupt posibilitatea de a mentine legatura cu clienta mea **Dra. DUMITRU MADALINA** si de a-i acorda asistenta juridica conform contractului mai sus amintit, incalcand astfel dreptul fundamental la aparare;
2. **Locul de retinere al clientei mele Dra. DUMITRU MADALINA si temeiul legal** in baza caruia minora a fost retinuta si i s-a intrerupt, intr-un mod total inexplicabil si evident abuziv legatura cu exteriorul si cu familia, incalcand astfel libertatile si drepturile fundamentale ale omului.

Imi intemeiez prezentul Memoriu pe urmatoarele:

### MOTIVE:

### I. Succinta expunere a situatiei in fapt:

In data de 01.04.2004 Subsemnata avocat Solomon Adina am fost solicitata de catre clienta mea Dra. **Dumitru Madalina** in vederea asistarii acesteia din punct de vedere juridic la Parchetul de pe langa Curtea de Apel Bucuresti, minora intentionand in mod expres sa acorde un supliment de declaratie in Dosarul 720/P/2003.

In mod total netemeinic acesteia i s-a refuzat de catre Procurorii care instrumenteaza dosarul, respectiv **Dl. Procuror Cerbu Viorel si Dl. Procuror Caborschi Anton Grigore,** sa o audieze in vederea suplimentarii declaratiei data de catre aceasta in ziua de 18.03.2004. Invocand un mandat de aducere (care, de altfel, prin prezentarea minorei de buna voie la Parchet nu-si mai producea efectele), procurorii mai sus amintiti au dispus ca **Dumitru Madalina** sa efectueze o expertiza medico-legala la IML, obligand-o cu escorta, formata din mai multe masini ale Politiei, sa se prezinte la sediul spitalului. In momentul in care clienta mea, minora **Dumitru Madalina**, a ajuns la IML, insotita fiind de Subsemnata, aceasta a constatat represiunea inexplicabila care se produce asupra ei (usile Spitalului fiind blocate si flancate de catre politisti civili), si, intrand in panica, ea a inteles ca efectuarea acestei expertize medico-legala nu mai este un act de vointa liber, compatibil cu statutul de parte-vatamata, ci un abuz flagrant din partea organelor de cercetare penala.

Din momentul acela clienta mea, impreuna cu mine, am fost retinute cu forta circa 4 ore in incinta Spitalului , dupa care in jurul orelor 17.00 am fost obligate de catre fortele speciale ale politiei, din cadrul S.P.I.R, sa intram intr-o duba a Politiei. Escortate de alte doua masini ale Politiei din cadrul S.P.I.R, atat Subsemnata cat si clienta mea **Dumitru Madalina** am fost transportate in forta, avand ca destinatie finala curtea interioara a Politiei Capitalei. Din momentul acela, intr-un mod abuziv si cu o violenta rar intalnita, Subsemnata am fost despartita de clienta mea, minora **Dumitru Madalina**, aceasta find condusa intr-o directie necunoscuta si fara sa fie insotita de familie. Tot din acel moment, nu mi s-a mai permis exercitarea atributiilor Subsemnatei in calitate de avocat delegat, conform contractului de asistenta juridica mai sus amintit, desi Subsemnata m-am prezentat imediat la Parchetul de pe langa Curtea de Apel Bucuresti si am solicitatat permanent timp de 3 ore sa mi se acorde accesul la clienta mea, minora **Dumitru Madalina.**

## II. In drept:

Fata de cele aratate in Cap. nr. I din prezentul Memoriu, consider ca au fost incalcate flagrant un set intreg de dispozitii legale, prevazute si sanctionate in Legi imperative cu caracter obligatoriu cum sunt Codul de Procedura Penala, Constitutia Romaniei, Legea 51/1995 privind Statutul si exercitarea profesiei de avocat.

Astfel au fost incalcate evident urmatoarele prevederi legale:

- Art. 173 pct.1 Cod prod. pen.;
- Art. 143, 144 Cod prod. pen.;
- Art. 81, 82, 86 Cod prod. pen;
- Art. 21 pct. 1, 3; art. 24 pct. 1, 2; art. 32; art. 33; art. 51; art. 123; art. 130; art. 131 din Constitutia Romaniei;
- Art. 1, art. 2, art. 4, art. 30, art. 34 din Legea nr. 51/1995 privind oganizarea si exercitarea profesiei de avocat.

## III. In concluzie:

**Domnule Procuror General, va rog sa binevoiti a dispune de urgenta si cu celeritate anularea oricarui act de urmarire penala in care partea vatamata a fost angrenata fara ca sa fie asistata de Subsemnata in calitatea de avocat delegat si, pe cale de consecinta, sa reluati audierea minorei Dumitru Madalina si orice act de procedura din momentul in care veti proceda imperios la asigurarea dreptului fundamental la aparare al acesteia prin prezenta si participarea mea activa la efectuarea actului de justitie.**

**In cazul in care nu veti binevoi a raspunde la prezentul Memoriu asa cum ati fost solicitat in petitul acestuia, voi intelege sa ma adresez autoritatilor ierarhic superioare si sa va actionez in Instantele de judecata.**

Telefon de contact: 0722-456.570.

**Va multumesc.**

Avocat delegat,
Adina Solomon

BAROUL BUCUREȘTI
ADINA SOLOMON
AVOCAT
CABINET INDIVIDUAL

# BAROUL BUCUREŞTI

CABINET INDIVIDUAL DE AVOCATURA

**"ADINA SOLOMON"**

14.04.2004

**Către DIRECŢIA JUDEŢEANĂ DE PROTECŢIE A COPILULUI CONSTANŢA, str. Decebal nr. 13**
**În atenţia D-nei Director General MUNTEANU EUGENIA**

**Doamna Directoare,**

Subsemnata **SOLOMON ADINA**, avocat în cadrul Baroului Bucureşti, în baza Contractului de asistenţă juridică nr. 198.840 din data de 28.03.2004, intervenit între Cabinetul Individual de Avocatură "Adina Solomon", al cărui titulară sunt şi D-ra DUMITRU MĂDĂLINA, domiciliată în comuna Costineşti, judeţul Constanţa, posesoare a C.I. seria KT nr. 151797 eliberat de Pol. Eforie la data de 22.09.2002, CNP 28609134127, formulez, depun şi susţin prezenta

## SESIZARE

prin care vă solicit în temeiul art. 17 pct. f şi art. 18 pct. a şi pct. b din O.U.G. nr. 26/1997 (republicată) **să constataţi condiţiile complet negative cu efecte grave care pun în pericol securitatea, dezvoltarea şi integritatea morală a copilului DUMITRU MĂDĂLINA.**

Astfel, îmi întemeiez prezenta Sesizarea pe următoarele două motive:

1. Pe de o parte, Hotărârea nr. 696 pronunţată în Şedinţa din data de 07.04.2004 de către Comisia pentru Protecţia Copilului a Consiliului Judeţean Constanţa a fost luată cu prea mare celeritate, fără respectarea condiţiilor de fond şi de formă stipulate atât în O.U.G. nr. 26/1997 (republicată) precum şi de Normele Metodologice privind aplicarea prevederilor Ordonanţei,
2. Iar pe de cealaltă parte, condiţiile în care minora **DUMITRU MĂDĂLINA** trăieşte în prezent atât din punct de vedere material cât şi moral, afectează într-un mod deosebit de grav dezvoltarea armonioasă a acesteia.

Astfel, practic minora **DUMITRU MĂDĂLINA** este „sechestrată" la domiciliul familiei Iordache Marian şi Florentina, aceştia susţinând că li s-a „dictat" un astfel de comportament în ceea ce o priveşte pe minoră, de către organe ale Parchetului şi Poliţiei.

Minora nu se poate deplasa liberă pe stradă, fiind permanent însoțită de „polițiști civili", mai mult decât atât, nu poate desfășura nici o activitate liberă care să fie în acord cu specificul vârstei și necesităților ei.

Aceasta:

- a fost smulsă din mediul familial în care trăia și în care era perfect integrată, atât din punct de vedere material cât și profesional și moral;
- nu mai poate frecventa cursurile Liceului Economic din București la care era elevă și la care a aspirat să absolve în vederea admiterii la o facultate cu profil din București;
- a fost despărțită într-un mod foarte dureros de prietenii și colegii de liceu;
- i s-a creat o imagine publică echivocă și negativă cu efecte profund traumatizante atât asupra psihicului ei, cât și în ceea ce privește integrarea ei firească și armonioasă în planul social și profesional;
- a fost și este despărțită într-un mod abuziv și nefiresc de prietenul ei LOMOȘ REMUS față de care o leagă o iubire sinceră și necondiționată, și cu care își dorește să se căsătorească;
- mediul familial în care a fost plasată, respectiv familia Iordache, este total nepotrivit pentru creșterea și dezvoltarea ei armonioasă deoarece: familia Iordache nu poate asigura condițiile materiale în vederea creșterii și educării lui **DUMITRU MĂDĂLINA**, întrucât numai Iordache Marian aduce venituri în casă, respectiv Iordache Florentina este casnică. Totodată, minorei nu i se poate asigura alimentația, îmbrăcămintea, rechizitele și manualele școlare, cursurile școlare și extrașcolare, cheltuielile cu sănătatea și de agrement, toate absolut necesare dezvoltării firești și armonioase a acesteia.

În tot acest context, **DUMITRU MĂDĂLINA** este permanent supravegheată și urmărită de echipaje ale poliției fiind astfel grav traumatizată și încălcându-i-se drepturi și libertăți fundamentale prevăzute atât de Constituția României, cât și de toate celelalte dispoziții legale, precum și de prevederile Comisiei Europene pentru Drepturile Omului și ale Copilului.

**În concluzie, față de cele arătate mai sus, vă rog, Doamnă Directoare Munteanu Eugenia, să vă autosesizați și să dispuneți efectuarea tuturor actelor de procedură necesare în vederea restabilirii minorei DUMITRU MĂDĂLINA în situația anterioară astfel încât, acesteia să i se asigure toate condițiile materiale, garanțiile morale și securitatea necesare dezvoltării armonioase atât fizice cât și psihice.**

În temeiul Contractului de asistență juridică intervenit între Subsemnata și clienta mea **DUMITRU MĂDĂLINA**, vă rog să binevoiți a mă încunoștiința atât telefonic la numărul de telefon 0722.456.570, cât și la numărul de fax 021-424.14.42 în legătură cu toate actele efectuate privitoare la clienta mea.

Vă mulțumesc.

Cu stimă, a Dvs.,
Avocat Adina Solomon

BAROUL BUCUREȘTI
ADINA SOLOMON
AVOCAT
CABINET INDIVIDUAL

CONFIRMATION REPORT 14-APR-04 10:30

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ROMÂNIA
MINISTERUL PUBLIC
PARCHETUL DE PE LÂNGĂ
CURTEA DE APEL BUCUREŞTI
Nr.1179/VIII-1/2004

19.04.2004

**CĂTRE,**
**BAROUL BUCUREŞTI**
**pentru**
**Cabinet individual de avocatură „ADINA SOLOMON"**

Urmare memoriului dvs. adresat, la data de 05.04.2004, procurorului general al Parchetului de pe lângă Curtea de Apel Bucureşti, vă comunicăm următoarele :

Prin rezoluţia din 07.04.2004, s-a dispus respingerea ca neîntemeiat a capătului de cerere privind nulitatea actelor de urmărire penală întocmite, la data de 18.03.2004, în legătură cu DUMITRU MĂDĂLINA, întrucât la data audierii asistenţa juridică nu era obligatorie întrucât, calitatea acesteia a fost de martor.

Solicitarea participării dvs. la actele de urmărire penală ce vor fi efectuate în legătură cu DUMITRU MĂDĂLINA urmează a fi apreciată de procurorii ce efectuează urmărirea penală în cauză, comunicându-vă în timp util măsura dispusă.

Precizăm că DUMITRU MĂDĂLINA nu a fost reţinută de organul de procuratură, ea aflându-se în grija persoanei căreia, în condiţiile Codului familiei. îi revine sarcina creşterii şi educării.

Comunicarea s-a efectuat prin BAROUL BUCUREŞTI întrucât din conţinutul memoriului nu rezultă sediul Cabinetului individual de avocatură „ADINA SOLOMON" şi nici nu este indicată o altă adresă la care să se facă comunicarea soluţiei.

**PROCUROR GENERAL,**

BAROUL BUCURESTI
CABINET INDIVIDUAL DE AVOCATURA
"ADINA SOLOMON"

**ÎNALTA CURTE DE CASAȚIE ȘI JUSTIȚIE - SECȚIA PENALĂ**
**DOSAR PENAL nr. 405/85/2005**
Termen: 09.10.2012

05.X.2012

## DOAMNA PRESEDINTE,

Subsemnata,
**DUMITRU MADALINA** - ***Parte vatamata*** in dosarul penal mai sus rubricat, domiciliata in Bucuresti, str. Trompetului nr.14, sector 5, prin avocat ADINA SOLOMON,

in temeiul art.51, 49 indice 1 Cod proc penal roman si art. 6 paragraf.1 din Convetia Europeana a Drepturilor Omului, formulez, depun si sustin prezenta

## *CERERE DE RECUZARE*

a completului de judecata format din **dl. judecator Ionut Matei, dna. judecatoare Ioana Bogdan si dna. judecatoare Cristina Rotaru**

Imi intemeiez prezenta Cerere pe urmatoarele considerente de fapt si de drept:

## MOTIVE:

Articolul 6 par.1 al Conventiei Europene ne garanteaza dreptul la un proces echitabil: *"Orice persoana are dreptul la judecarea cauzei sale (...)de catre o instanta (...) imparțiala (...) care va hotari fie asupra incalcarii drepturilor si obligatiilor sale cu caracter civil, fie asupra temeiniciei oricarei acuzatii penale indreptate impotriva sa."*

Potrivit jurisprudentei europene, **imparțialitatea** se defineste ca fiind absenta oricarui prejudecati sau a oricarei idei preconcepute privitoare la solutia unui proces.

O instanta este prezumata a fi imparțiala, pana la proba contrara. Ca probe contrarii, Curtea europeana are in vedere, atat anumite ***fapte certe din care sa reiasa dubii asupra imparțialitatii***, dar si *ostilitatea sau reaua-intentie manifestata de catre judecator din motive personale; a convingerilor intime ale acestuia.*

In aceasta materie, chiar si aparentele au un rol deosebit (*vezi Hauschildt c/ Danemarca*); deoarece intr-o societate democratica, **tribunalele trebuie sa inspire justițiabililor deplina incredere!**

De aceea, orice judecator despre care se poate crede ca nu ar fi deplin imparțial cu privire la judecarea cauzei ce i-a fost data spre solutionare **este obligat sa se abtina** sa o examineze.

**DOAMNEI PRESEDINTE AL INALTEI CURTI DE CASATIE SI JUSTITIE**

ADINA SOLOMON
Avocat

In raport cu aceste consideratii legale statuate de Conventia Europeana dar asumate, prin certificare, si de dreptul nostru intern, este evident ca in prezenta cauza, in raport de calitatea mea procesuala de asa-zisa *parte vatamata,* completul de judecatori mai sus amintit **prezidat de dl. judecator Ionut Matei justifica banuieli legitime** (atat obiective, cat si subiective) **cu privire la impartialitatea sa,** creandu-mi serios convingerea, si implicit temerea, ca nu voi beneficia de un proces echitabil, astfel cum acesta este aparat de art.6 din Conventia europeana.

**ELEMENTE DE ORDIN OBIECTIV SI SUBIECTIV**
**care, coroborate, contureaza lipsa de impartialitate a completului de judecata format din judecătorii:**
**dl.Ionut Matei, dna. Ioana Bogdan, dna. Cristina Rotaru**

1. Completul de judecată ce se cere a fi recuzat **este cel care a judecat recursul din Dosarul nr.405/85/2005 si a pronuntat Decizia nr. 1131/12.04.2012,** ocazie cu care a intrat si in fondul cauzei prin administrarea de probe noi si audierea Subsemnatei, in calitate de parte vatamata in Sedinta publica din 23. feb.2012.

Invoc in acest sens si Decizia CEDO 18306/04, Stow şi Gai c/ Portugalia, 4 octombrie 2005, care a statuat ca numai *"atunci când casarea unei sentinţe s-a produs pentru un motiv strict procedural şi nu pentru un viciu structural al sentinţei nu se impunea obligatoriu !!! schimbarea judecătorilor care reanalizează acţiunea".*

2. **Audierea mea din 23 feb 2012 s-a efectuat intr-o maniera deosebit de ostila,** agresiva, ironica, lipsita de egalitate, *Subsemnata* fiind tratata de domnii judecatori din prezentul complet mai degraba ca si cum as fi o inculpata si nu as avea calitatea procesuala de *parte vatamata.*

M-am simtit pe tot parcursul audierii mele traumatizata fizic, psihic si moral – situatie pe care am invederat-o si de care m-am plans, atat, direct, in fata completului de judecata, dar si la Consiliul Superior al Magistraturii si Presedintelui ICCJ prin memorii ulterioare pe care le-am efectuat. In dovedirea traumelor suferite ca urmare a audierii mele din 23 feb 2012 am depus si rapoarte medicale de specialitate *(memoriile invocate si documentele medicale sunt atasate si la dosarul de instanta).*

3. Prin Decizia nr.1131/ 12.04.2012 completul de judecata a dispus casarea a doua sentinte de achitare a inculpatilor in cauza si **a retinut cauza spre rejudecare, reunindu-se in acelasi complet de 3 ( trei) judecatori.**

4. Prin numeroasele plangeri si memorii pe care le-am efectuat atat in faza de urmarire penala, dar si in faza de judecata a prezentei cauze am reclamat **sistematic modul abuziv prin care am fost transformata in asa-zisa parte vatamata,** in conditiile in care eu am aratat explicit (atat prin declaratii orale, nemijlocite, in fata procurorilor si instantei de judecata, dar si prin declaratii si memorii scrise) **ca nu am suferit nici un prejudiciu material,** fizic si moral si **nu a fost savarsita impotriva mea nici una dintre infractiunile** retinute in sarcina **inculpatilor din prezenta cauza.**

5. **Domnii judecatori Ionut Matei, Ioana Bogdan** si **Cristina Rotaru** audiaza in mod **discretionar si partinitor martorii propusi de parchet prin Rechizitoriu,** asa cum se poate observa atat din Declaratiile de martor, dar si din Incheierile de sedinta de la ultimul termen de judecata din **25.09.2012,** dar si de la termenul din **03.09.2012.**

Mai mult decat atat, martorii propusi de Parchet, cu ocazia audierii lor de catre completul de mai sus, au fost/ sunt tratati mai bine decat am fost tratata Subsemnata DUMITRU MADALINA, *desi calitatea procesuala de martor nu impune un tratament mai favorabil decat cel al Partii vatamate.*

Astfel,

- Martorii **au fost audiati in mod discretionar si partinitor** in legatura cu persoane, situatii de fapt si perioade de timp **neretinute prin Rechizitoriu,** mai precis despre care se afirma ca a fi avut loc chiar si cu 10 ani mai inainte.

De pilda, martorii Stoenescu Luminita, Barjovanu Catalin, Flesaru Daniel au fost audiati de dnii judecatori **in sedinta publica din 25 sept.2012** pe situatii de fapt din perioada 1993-1999 !!!

In opozitie, Subsemnata am fost audiata de catre dnii. judecatori la data de 23.02.2012 ostil, restrictiv, mi s-a cenzurat, interpretat, ironizat fiecare afirmatie pe care am efectuat-o.

- Martorilor audiati li s-a incuviintat de catre completul de judecata **sa isi impuna convingerile religioase in sens discriminatoriu,** intreaga declaratie a acestora avand la baza aceasta **atitudine subiectiva, discriminatorie, ofensatoare** fata de convingerile filozofice si religioase ale Subsemnatei si a grupului din care faceam parte - *vezi Declaratiile de martor ale lui Stoenescu Luminita si Incheierea din 25 sept.2012*

- Avocatilor mei **li s-a respins de catre completul de judecata** marea majoritate a intrebarilor adresate martorilor parchetului: **intrebari care urmareau sa consolideze pozitia pe care mi-o exprim in aceasta cauza:** aceea ca nu sunt parte vatamata a niciunuia dintre inculpatii din dosar !!

Au fost, astfel, respinse intrebarile care ar fi putut sa **stabileasca daca martorii ma cunosc si daca au cunostinta despre presupusele fapte care au dus la atribuirea calitatii de parte vatamata** - *vezi Incheiera de sedinta din 25 sept 2012.* Totodata avocatilor li s-au respins intrebarile care vizau sa stabileasca daca aceste declaratii de martor au fost efectuate in mod liber, cu aratarea a ceea ce stiu cu adevarat despre faptele si persoanele cercetate in cauza, sau a avut loc o interventie/ constrangere a diverselor organe ale statului cu scopul de a fi efectuate *pro cauza.* - *vezi Incheierea de sedinta din 03. sept.2012.*

- La toate termenele de judecata avocatii mei alesi au fost tratati de catre completul de judecata agresiv, ostil, ireverentios. – *vezi, ca exemplu, Incheierea de sedinta din 03.sept.2012.*

**IN CONCLUZIE ,**

Fata de cele invederate mai sus, analizate coroborat, se poate observa conduita procesuala a completului de judecata, care denota in mod neechivoc **esecul detasarii acestora fata de cauza cu care sunt investiti a o judeca, prejudecatile, partinirea, lipsa de imparialitate.**

In conditiile in care Subsemnata DUMITRU MADALINA am interesul ca instanta de judecata penala a ICCJ sa efectueze cercetarea judecatoreasca sub toate aspectele, in mod obiectiv si imparțial, cu scopul de a afla in mod direct si nemijlocit adevarul si nu doar pentru a reconfirma calitatea de parte vatamata ce mi-a fost atribuita in mod fortat si abuziv de catre Parchet,

consider ca **dnii. judecatori Ionut Matei, Ioana Bogdan si Cristina Rotaru sunt incompatibili de a judeca prezenta cauza si de a oferi toate garantiile ce decurg din dreptul la un proces echitabil, motiv pentru care,**

Dna Presedinta a ICCJ **va rog sa binevoiti a admite prezenta Cerere de recuzare astfel cum a fost formulata si motivata.**

Va multumesc.

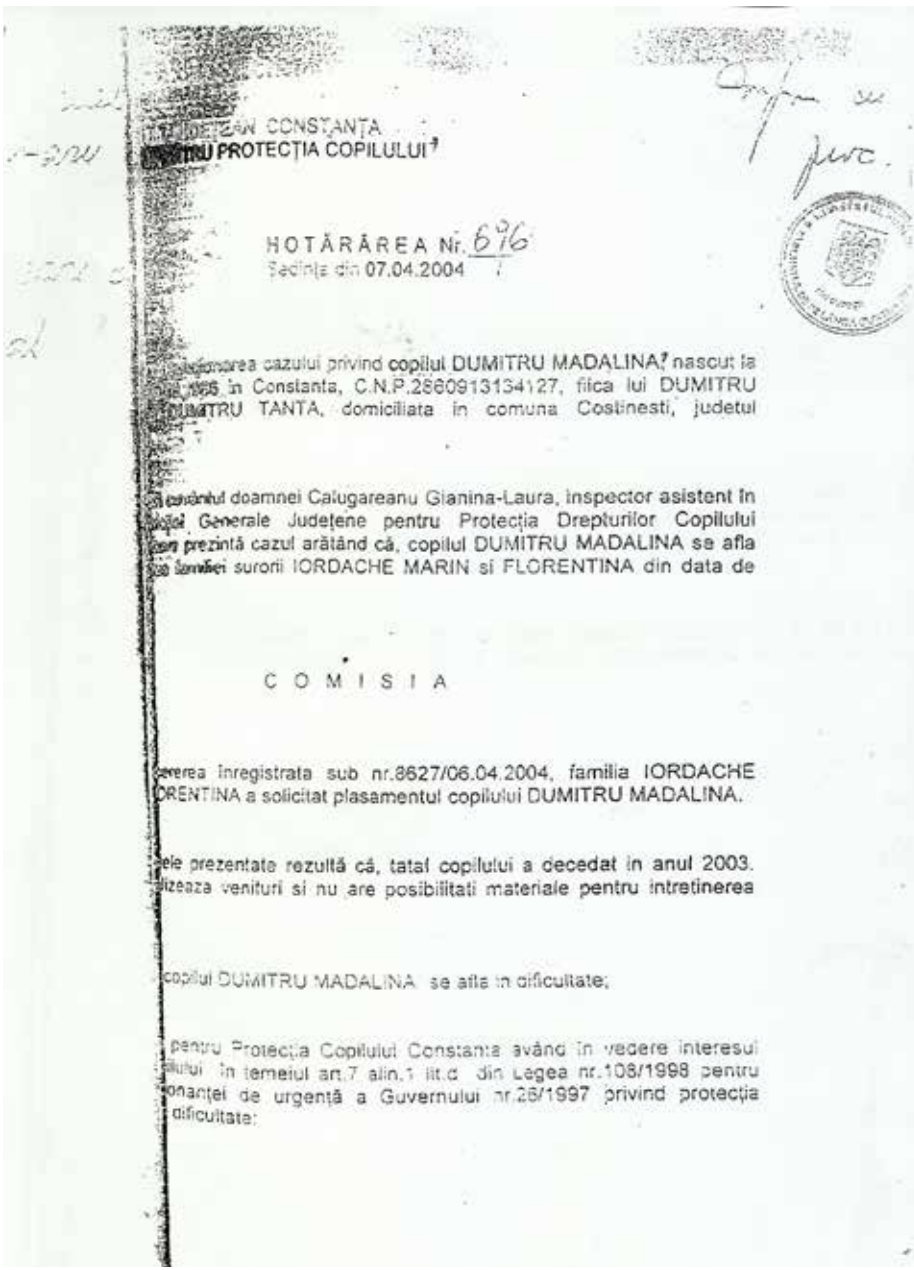
Pt. *Partea vatamata*
DUMITRU MADALINA

ADINA SOLOMON

# ANNEX II

# EVIDENCE OF MY ABUSIVE PLACEMENT IN THE CUSTODY OF THE IORDACHE FAMILY

# Decision of the Directorate for Child Protection about my placement in the Iordache family



JUDEȚEAN CONSTANȚA
PENTRU PROTECȚIA COPILULUI

HOTĂRÂREA Nr. 696
Ședința din 07.04.2004

[illegible]area cazului privind copilul DUMITRU MADALINA, nascut la [illegible]1995 in Constanta, C.N.P.2950913134127, fiica lui DUMITRU [illegible]UMITRU TANTA, domiciliata in comuna Costinesti, judetul

[illegible]ul doamnei Calugareanu Gianina-Laura, inspector asistent in [illegible] Generale Judetene pentru Protectia Drepturilor Copilului [illegible] prezintă cazul arătând că, copilul DUMITRU MADALINA se afla [illegible] surorii IORDACHE MARIN si FLORENTINA din data de

C O M I S I A

[illegible]erea inregistrata sub nr.8627/06.04.2004, familia IORDACHE [illegible]RENTINA a solicitat plasamentul copilului DUMITRU MADALINA.

[illegible]ele prezentate rezultă că, tatal copilului a decedat in anul 2003. [illegible]izeaza venituri si nu are posibilitati materiale pentru intretinerea

copilul DUMITRU MADALINA se afla in dificultate;

[illegible] pentru Protectia Copilului Constanta având in vedere interesul [illegible]ului in temeiul art.7 alin.1 lit.d din Legea nr.108/1998 pentru [illegible]onanței de urgență a Guvernului nr.26/1997 privind protectia [illegible] dificultate:

HOTĂRĂŞTE:

Art.1- Plasamentul copilului DUMITRU MADALINA, născut la data de 13.09.1986 în Constanta, familiei surorii IORDACHE MARI C.N.P.1680323130942 si FLORENTINA, C.N.P.2710827131223, domiciliata Constanta, str. Tabla Butii nr.74.

Art.2.- Hotărârea se va comunica: Familiei IORDACHE MARIN, FLORENTINA si copilului DUMITRU MADALINA domiciliati in Constanta, Tabla Butii nr.74, mamei DUMITRU TANTA, domiciliata in comuna Costina judetul Constanta, Primariei municipiului Constanta, Primariei comu Costinesti.

Art.3- Prezenta hotărâre poate fi atacată în termen de 30 de zile d data comunicării, la Judecătoria Constanţa, potrivit normelor de drept comun

PREŞEDINTE,
Mariana Belu

SECRETA
Doina Ro

VIZAT PENTRU LEGALITATE.

**Notifications and requests submitted by my lawyer Adina Solomon about the precarious conditions I lived in with the Iordache family, which led me to run away from there**

BAROUL BUCURESTI
CABINET INDIVIDUAL DE AVOCATURA
"ADINA SOLOMON"

23.04.2004

Către DIRECȚIA JUDEȚEANĂ DE PROTECȚIE A COPILULUI
CONSTANȚA, str. Decebal nr. 13
În atenția D-nei Director General MUNTEANU EUGENIA

Judecătoresc
ADRIAN ROMANESCU
CONSTANȚA
NR. 116
ziua 26 luna 04 2004

**Doamna Directoare,**

Subsemnata **SOLOMON ADINA**, avocat în cadrul Baroului București în baza Contractului de asistență juridică nr. 198.840 din data de 28.03.2004, intervenit între Cabinetul Individual de Avocatură "Adina Solomon", al cărui titulară sunt și D-ra **DUMITRU MĂDĂLINA**, domiciliată în prezent în Constanța, str. Tabla Buții nr. 74, ca urmare a hotărârii de plasare la familia Iordache Marian si Florentina, formulez, depun si susțin prezenta

**SESIZARE**

1. În data de 21 aprilie 2004, se pare că **DUMITRU MĂDĂLINA** a părăsit domiciliul familiei Iordache la care instituția pe care dvs. o conduceți a plasat-o;
2. Această plecare pare sa fie rezultatul condițiilor materiale si morale în care **DUMITRU MĂDĂLINA** a trăit în casa și familia Iordache, ținând cont și de nenumăratele agresiuni fizice și psihice la care aceasta a fost supusă, așa cum rezultă din Sesizările d-lor Lomoș Remus – logodnicul ei, Cojocaru Constantin – viitorul naș de căsătorie si a d-nei Cojocaru Nadia – viitoarea nașă de căsătorie, Sesizări pe care aceștia le-au depus atât la sediul instituției dvs. precum și la Poliția Constanța, în perioada 15- 21 aprilie 2004.
3. Mediul familial în care a fost plasată, respectiv familia Iordache, este total nepotrivit pentru creșterea și dezvoltarea ei armonioasă deoarece: familia Iordache nu poate asigura condițiile materiale în vederea creșterii și educării lui **DUMITRU MĂDĂLINA**, întrucât numai Iordache Marian aduce venituri în casă, respectiv Iordache Florentina este casnică. Totodată, minorei nu i se poate asigura alimentația, îmbrăcămintea, rechizitele și manualele școlare, cursurile școlare și extrașcolare, cheltuielile cu sănătatea și de agrement, toate absolut necesare dezvoltării firești și armonioase a acesteia.

4. În toată această perioadă, minorei **DUMITRU MĂDĂLINA** i s-a încălcat dreptul fundamental la învățătură, acesteia nepermițându-i-se să meargă la școală după vacanța de primăvară, mai mult decât atât, s-a încercat transferul ei forțat de la Liceul Economic din București, în condițiile în care nu aveați acceptul expres al minorei.
5. Dat fiind că Hotărârea nr. 696 pronunțată în Ședința din data de 07.04.2004 a fost dată de către Comisia pentru Protecția Copilului a Consiliului Județean Constanța, al cărei director general sunteți, responsabilitatea privind consecințele acestei plecări a Mădălinei vă revin direct.

Față de cele arătate mai sus, în calitate de apărător ales al drepturilor și intereselor clientei mele **DUMITRU MĂDĂLINA**, vă solicit Doamnă Directoare Munteanu Eugenia să depuneți toate diligențele necesare pentru stabilirea condițiilor concrete în care clienta mea a părăsit domiciliul familiei Iordache, dacă aceasta a făcut-o de bună voie în conformitate cu drepturile pe care aceasta le-a dobândit de la vârsta de 16 ani, sau dacă a făcut-o forțat datorită condițiilor precare în care și-a desfășurat viața în familia în care a fost plasată.

Vă rog să mă contactați pentru orice informație pe care o veți obține la telefonul 0722.456.570.

Vă mulțumesc.

Avocat delegat,
Adina Solomon

BAROUL BUCURESTI
CABINET INDIVIDUAL DE AVOCATURA
"ADINA SOLOMON"

Catre,
Familia Iordache Marian si Florentina,
Constanta, str. Tabla Butii nr. 74, Jud. Constanta

Biroul Executorilor Judecatoresc
ADRIAN ROMANESCU
CONSTANTA
NR 115
ziua 26 luna 04 anul 200

**ADRESA**

Subsemnata **Solomon Adina, membra a Baroului Bucuresti**, avocat delegat in baza Contractului de asistenta juridica nr. 198.840 din data de 28.03.2004 incheiat cu d-ra Dumitru Madalina, care in prezent se afla in ocrotirea si ingrijirea dvs., va formulez prezenta prin care va aduc la cunostinta urmatoarele:

1. In data de 21 aprilie 2004 clienta mea Dumitru Madalina a parasit domiciliul dvs.;
2. Sunteti direct responsabili pentru siguranta fizica, materiala si morala a minorei Dumitru Madalina;
3. Aceasta plecare pare sa fie rezultatul conditiilor materiale si morale in care Dumitru Madalina a trait in casa si familia dvs., tinand cont si de nenumaratele agresiuni fizice si psihice la care aceasta a fost supusa, asa cum rezulta din Sesizarile d-lor Lomos Remus – logodnicul ei, Cojocaru Constantin – viitorul nas de casatorie si a d-nei Çojocaru Nadia – viitoarea nasa de casatorie.

Fata de cele aratate mai sus, in calitate de aparator ales al drepturilor si intereselor clientei mele Dumitru Madalina, va solicit d-lor Iordache Marian si Florentina sa depuneti toate diligentele necesare pentru stabilirea conditiilor concrete in care clienta mea a parasit domiciliul dvs., daca aceasta a facut-o de buna voie in conformitate cu drepturile pe care aceasta le-a dobandit de la varsta de 16 ani, sau daca a facut-o fortat datorita conditiilor precare in care si-a desfasurat viata in familia dvs.

Va rog sa ma contactati pentru orice informatie pe care o veti obtine la telefonul 0722.456.570.

Va multumesc.

BAROUL BUCURESTI * ADINA SOLOMON AVOCAT * CABINET INDIVIDUAL

Av. delegat,
Adina Solomon

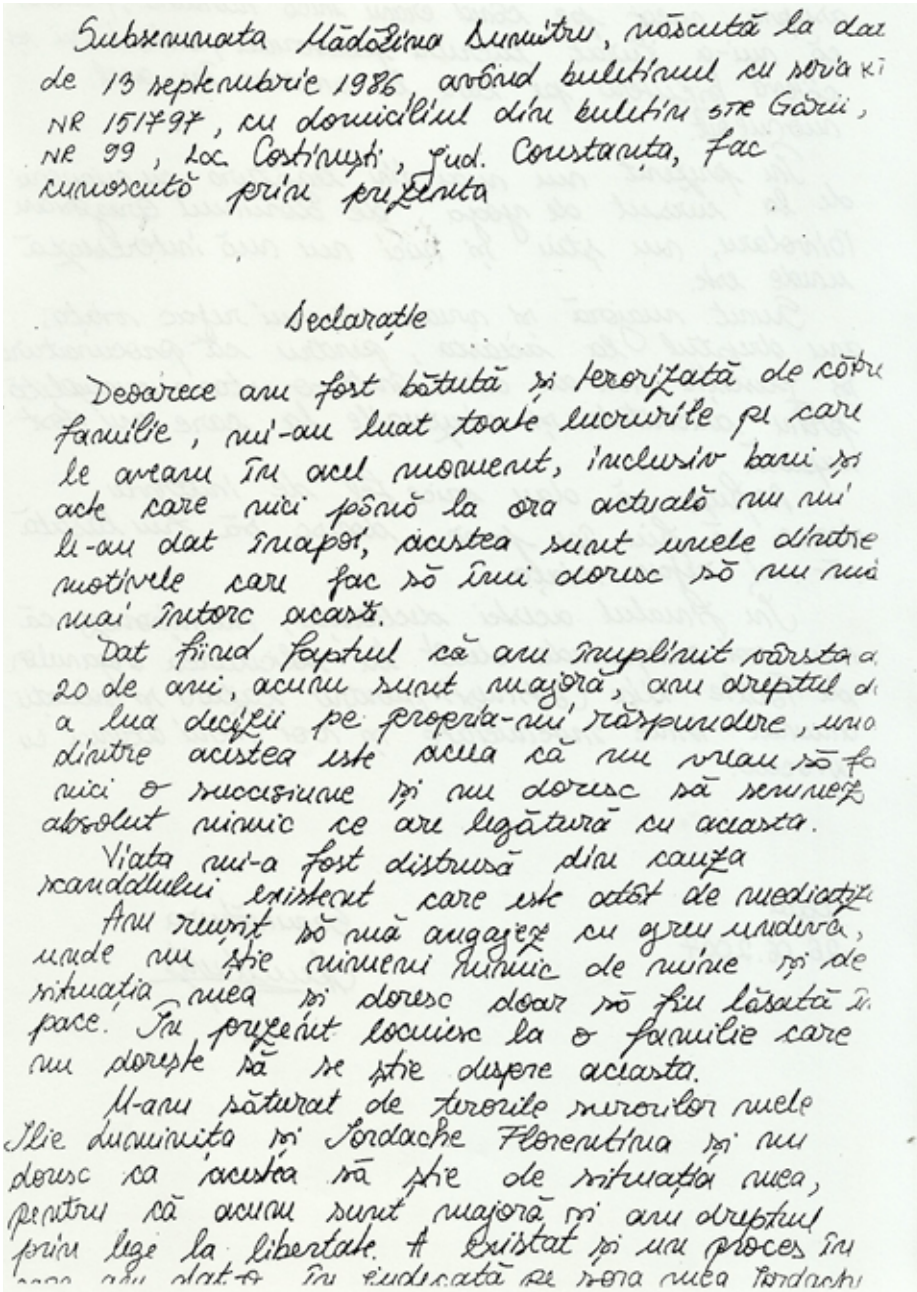
TORUL POȘTAL .....

## NOTĂ INVENTAR

De conținutul scrisorii cu valoare nr. .....
Destinatar TRIBUNALUL CONSTANȚA
Localitatea CONSTANȚA str. TRAIAN nr. 31
etaj ..... ap. ..... județ CONSTANȚA sector .....

| Nr. Obiectelor | Denumirea obiectelor | Valoarea declarată lei |
|---|---|---|
| | Cererea avocat Colgiu | |
| | Anexa la motivul [illegible] nr 896/ | |
| | 7.04.2004 a [illegible] | |
| | [illegible] | |
| | [illegible] | |
| |

**Statement addressed to the Police in the tourist town of Costinesti, about the violent and abusive treatments of my sisters**



Subsemnata Mădălina Dumitru, născută la data de 13 septembrie 1986, având buletinul cu seria KT NR 151797, cu domiciliul din buletin str. Gării, NR 99, loc. Costinești, jud. Constanța, fac următoarea

Declarație

Deoarece am fost bătută și terorizată de către familie, mi-au luat toate lucrurile pe care le aveam în acel moment, inclusiv bani și ale care nici până la ora actuală nu mi le-au dat înapoi, acestea sunt unele dintre motivele care fac să îmi doresc să nu mai mai întorc acasă.

Dat fiind faptul că am împlinit vârsta de 20 de ani, acum sunt majoră, am dreptul de a lua decizii pe propria-mi răspundere, unu dintre acestea este acela că nu vreau să fac nici o succesiune și nu doresc să semnez absolut nimic ce are legătură cu aceasta.

Viața mi-a fost distrusă din cauza scandalului existent care este adus de mediatiza

Am reușit să mă angajez cu greu undeva, unde nu știe nimeni nimic de mine și de situația mea și doresc doar să fiu lăsată în pace. În prezent locuiesc la o familie care nu dorește să se știe despre aceasta.

M-am săturat de torțele surorilor mele Ilie Luminița și Sordache Florentina și nu doresc ca acestea să știe de situația mea, pentru că acum sunt majoră și am dreptul prin lege la libertate. A existat și un proces în anul 2016 în care mama mea Sordache

Florentina, pentru abuzurile pe care le-a făcut asupra mea pe când eram încă minoră, pentru că mi-a furat lucruri personale, acte, bani și câteva bijuterii pe care le aveam în acel moment.

În prezent nu mai țin legătură cu nimeni de la cursul de yoga, de domnul Gregorian Bivolaru, nu știu și nici nu mă interesează unde este.

Sunt majoră și vreau să-mi refac viața, am dreptul la aceasta, pentru că procuratura și psihiatrii mi-au adus într-o stare cumplită prin anchetele și abuzurile la care am fost supusă.

Refuz să dau orice fel de interviu, doresc să fiu în pace, doresc să fiu lăsată să-mi refac viața.

În finalul acestei declarații, menționez că nu voi răspunde decât la solicitarea organelor de Poliție din Cotroceni pentru cazuri și situații anume bine întemeiate și voi veni atunci cu avocat.

Data
26.06.2007

Semnătura

MINISTERUL INTERNELOR SI REFORMEI ADMINISTRATIVE
INSPECTORATUL JUDETEAN DE POLITIE CONSTANTA
**POLITIA STATIUNII COSTINESTI**
Nr. 129.580 din 10.07.2007

CATRE

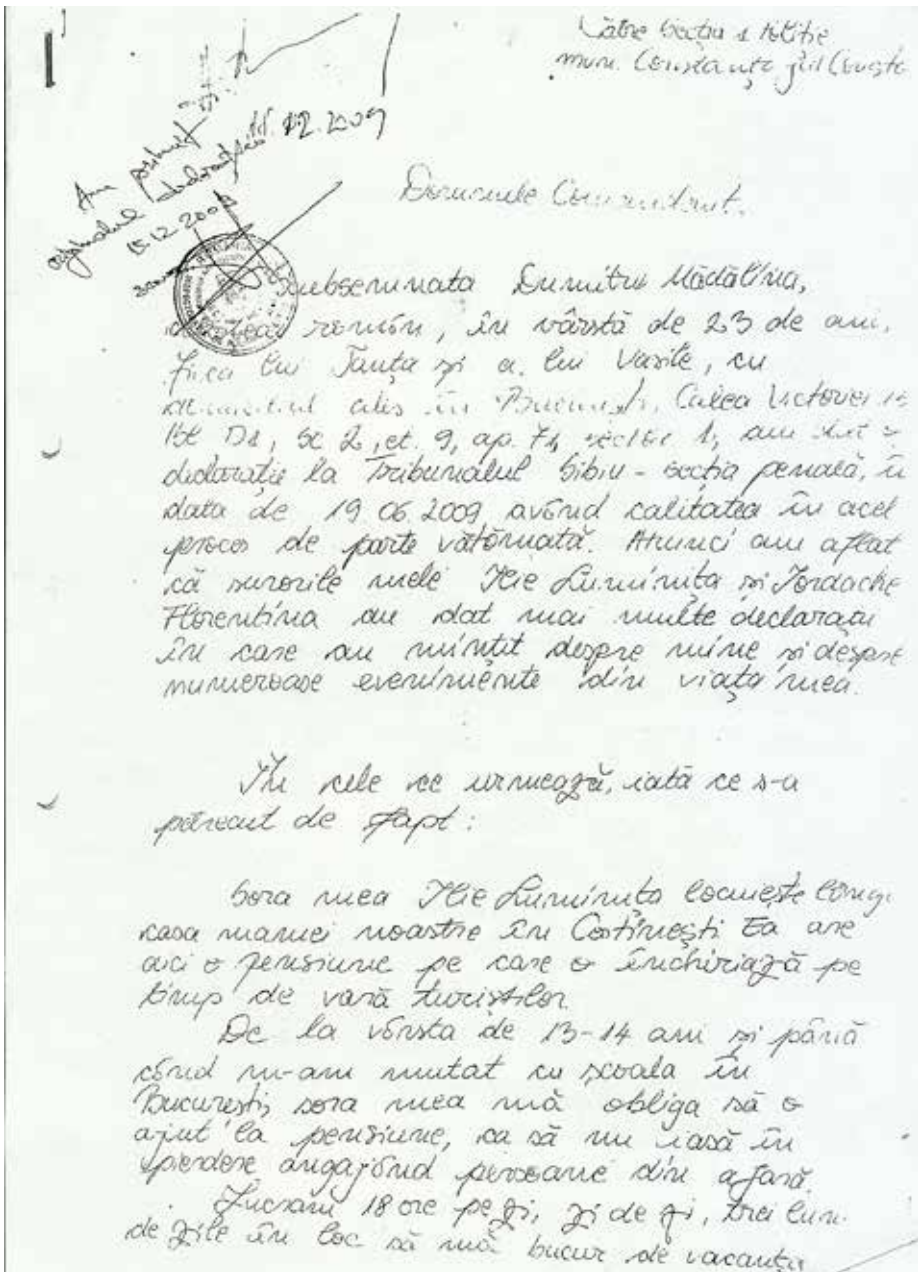
Dra MADALINA DUMITRU
BUCURESTI
SECTOR 5
Str.PELEAGA nr.9

Va comunicam ca scrisoarea dvs. din data de 26.06.2007 a fost inregistrata cu nr.de mai sus.

Cu privire la cele declarate de dvs. referitoare la faptul ca ati fost « batuta si terorizata de catre familie « si vi s-au luat lucrurile pe care le aveati, va comunicam ca puteti depune plangere prealabila impotriva membrilor familiei care au savarsit aceste fapte.

SEFUL POLITIEI STATIUNII COSTINESTI
Comisar sef
MUNTEANU STEFAN

**Informative letter addressed to Constanța Police Department Nr. 1, regarding the inappropriate and abusive behaviour of my sisters towards me**



Către Poliția Municipiului Constanța

Domnule Comisar,

Subsemnata Dumitru Mădălina, [illegible] român, în vârstă de 23 de ani, fiica lui Tănța și a lui Vasile, cu [illegible] ales în București, Calea Victoriei nr. 104, bl. D1, sc. 2, et. 9, ap. 74, sector 1, am dat o declarație la Tribunalul Sibiu - secția penală, în data de 19.06.2009 având calitatea în acel proces de parte vătămată. Atunci am aflat că surorile mele Nae Luminița și Jordache Florentina au dat mai multe declarații în care au mințit despre mine și despre numeroase evenimente din viața mea.

Vă rele ce urmează, iată ce s-a petrecut de fapt:

Sora mea Nae Luminița locuiește lângă casa mamei noastre în Costinești. Ea are aici o pensiune pe care o închiriază pe timp de vară turiștilor.

De la vârsta de 13-14 ani și până când m-am mutat cu școala în București, sora mea mă obliga să o ajut la pensiune, ca să nu rămână în pierdere angajând persoane din afară.

Lucram 18 ore pe zi, zi de zi, trei luni de zile în loc să mă bucur de vacanță

dusc pentru numele prenumal pentru ca sfârșitul școlii eram epuizată și tușind. Și mă odihneșc pentru a fi în formă a doua zi. Îți mă plătea și chiar aveam restricții.

Și exemplu dacă voiam să beau... suc tușind și scuip pe... cel, iar nu... deconta. Desigur că au existat nenumărate certuri între mama mea și sora care mă folosea pentru a răzbuna.

În anul 2001 eram la școală în Constanța la Liceul cu Program Sportiv. Locuiam la internat. Liceul presupunea practicarea unui sport de performanță, eu practicând canotaj. În primăvara acelui an am avut un accident la picior și nu am putut să-mi continui școala acolo deoarece nu mai puteam merge la antrenamente și deci nu mai aveam cum să susțin probele sportive de sfârșit de an care erau obligatorii. Aceasta a făcut ca să nu mai pot rămâne la acea școală. Eram transferat cu școala la Mangalia cu ajutorul părinților. Atâta timp cât am locuit la internat și nu eram acasă la mama și chiar veneam foarte rar la aceștia, surorile mele nu au făcut niciodată nici o declarație sau vreo plângere că nu sunt acasă. Nici nu observau lipsa mea. Și nici una dintre ele nu a venit niciodată să mă viziteze la internat să vadă ce fac și în ce condiții trăiesc.

care îi strângeam de la adolescență cărți și îngrijeam copiii.

În vara lui 2002 în august la sfârșit l-am cunoscut pe Grigore Țiplea. În perioada aceea mulți ani am venit cu câteva ori mașa.

Ne-am îndrăgostit și ne-am apropiat foarte mult. Ulterior am aflat că era asistent Universitar la Facultatea Politehnică din București.

Acesta a fost primul meu prieten cu care mi-am început viața intimă (sexuală). Făceam naveta în week-end-uri ca să mă întâlnesc cu el în București. Aveam o relație foarte romantică.

Tot de la el am aflat de cursul de yoga unde am început și merg și eu, având-l drept instructor pe Claudiu Trandafir.

Relația cu Grigore Țiplea nu a durat mult fiindcă am aflat că el mai avea o altă relație și m-am supărat că nu am putut să ne petrecem sărbătorile de iarnă împreună. Atunci am hotărât să ne despărțim și nu am mai vrut să mă întâlnesc cu el. Eu am fost la niște prieteni la o petrecere cam în aceeași perioadă când l-am întâlnit pe Remus.

M-am apropiat de acesta afectiv și apoi am început să fim prieteni

Am venit [illegible]
Amănuntul că pentru [illegible] la pensie
Sunoni nimic câte 18 ore pe zi fără ca
acesta să mă plătească. Aceasta era
în care eu eram în relații cu părinții
după accident

În 2001 toamna am venit [illegible]
Mangalia și am locuit într-o gazdă la o
femeie în vârstă. Mama împreună
cu tata îmi plăteau chiria și ei
fost cu ei personal ca să-mi cunoască
gazda. Camera era mică și condițiile nu
precare, chiar dificile. Nu era căldură
nici apă caldă. Tata din pensia lui
îmi dădea bani pentru chirie și de
aceea am ales acea gazdă modestă
pentru că nu ne puteam permite
altceva.

Am apelat singură la o agenție
imobiliară pentru a-mi găsi o gazdă
la un preț modest pentru că nu-mi
puteam permite altfel. Aici mă sfătuia
foarte protejată fiindcă aceasta (gazda)
era foarte blondă și bună cu mine.
Mă trezea dimineața îmi pregătea
micul dejun și îmi crea un sentiment
de mică când îi vedeam mămăliga
tremurând care îmi aducea laptele
încălzit și puțin îndoit cu apă.

În acea perioadă am avut grijă
un copil. Petreceam câte 2 ore pe zi cu
el și tot atunci făceam recuperări
pentru picior la Mangalia. În Mangalia
eram înscrisă la Liceul Economic.
Sâmbăta și duminica mergeam acasă
[illegible] la tata, care era bol-

dicât cei a surorilor mele mai mari
mele. Astfel m-am hotărât să mă
transfer la o şcoală mai bună în
Bucureşti, respectiv la Liceul Economic. Părinţii mei mi-au dat
voie să locuiesc cu bunica mea
pe toată perioada 2002 - 2003.

După ce mi-am transferat în
Bucureşti la Liceul Economic, am locuit
o perioadă la Remus care locuia în
chirie în str. T. Arapchului NR 14.
Proprietarii au început să-şi renoveze
casa. Nu mai puteam locui acolo
deoarece era foarte mare gălăgie şi nu
puteam nici să învăţ, nici să mă
odihnesc. Remus a găsit o soluţie. Astfel
am ajuns să locuiesc cu prietena mea
Mironka Farcaş, unde urma să rămân
cât ar fi durat lucrările în casa unde
locuiam cu Remus.

După ce m-am mutat în
Bucureşti eu am păstrat legătura cu
mama şi cu tata, şi chiar îi trimiteam
bani mamei pentru medicamentele
tatălui meu care era foarte bolnav.
Îi sunam şi îi vizitam în vacanţe.

În 2003 am fost acasă la mama
cu prietenul meu Remus şi cu Mironka
pentru a participa la înmormântarea
tatălui meu.

mai mare. Acea [illegible] profund. Durere pentru mine, fiind foa afectată de moartea tatălui meu. A fost profund mâncată de faptul că pe sufletele mele le interesau doar pro mele de moștenire - ele deriva semnez un act prin care eu să le cedez partea mea. Nu le păsa deloc mine și de ceea ce aveam nevoie în acel moment în acea și atât de trist pentru mine. Ce făceau pur și simp cerea mereu ca să le cedez definitiv partea mea de proprietate. Eram complet imposibile și se gândeau cum să mai scoată de pe urma mea bani Totă ce se ascundea în spatele așa-ziși lor iubiri și griji față de mine. Iar faptul că eu am plecat a am dorit să-mi construiesc o viață mai bună le-a făcut foarte invidioa Astfel că ei au căutat toate mijloace prin care să-mi distrugă fericirea și să mă țină sub tutela și puterea lor sperând astfel că voi ceda partea mea de moștenire.

Una dintre aceste situații are legătură cu faptul că au fost dispu să dea declarații mincinoase despre mine doar ca să-mi facă rău.

Au afectat astfel nu numai viața mea ci și a mai multor oameni nevinovați.

În 18 martie 2004, autoritățile

împotriva Yoghinilor și a MISA. S-au realizat descinderi simultane în mai multe case unde locuiau Yoghini, mai ales una din acele case locuiam și eu împreună cu părinții mei.

Autoritățile știau că există aici o persoană de sex feminin care era minoră și căutau să o identifice. În urma acestui eveniment [illegible] cineticul un dosar penal, s-au folosit de mine și de declarația pe care m-au obligat și m-au forțat să o dau făcut din mine în condiții de tortură parte vătămată. Am devenit astfel un instrument pentru ei.

Mai târziu am aflat că Ilie Luminița a dat mai multe declarații false, mincinoase cu privire la viața mea. Chiar înainte de a fi realizate acele percheziții, la data de 16.03.2003 sora mea a dat o declarație în care a relatat foarte multe lucruri neadevărate despre mine. Se poate spune că această declarație a ei a fost o bază de plecare a acestei înscenări care m-au avut pe mine drept „instrument" de acțiune al Procurorilor.

După ce am citit declarațiile

seama de minte! Știau acei [illegible]
că în acea casă se afla o minoră

Dar toate aceste declarații ale lor date în fața procurorilor pot fi cu ușurință ușor de înțeles ca fiind mincinoase!

Doresc să dovedesc că toate declarațiile surorilor mele au fost mincinoase și astfel să îmi mențin pledoaria împotriva lor, deoarece aceste declarații au avut grave repercusiuni asupra dosarului penal în care eu figurez ca parte vătămată.

Astfel declarațiile surorilor mele Ile Luminița și Iordachi Florentina sunt complet neadevărate și total mincinoase.

În realitate eu am cunoscut-o pe Gogîrnii și apoi pe Mihaela Farcaș în toamna lui 2002, când eu aveam 16 ani.

Înainte nu am avut de-a face cu gogîrnii și cu nici un cursant sau membru al MISA.

Este o declarație profund mincinoasă faptul că eu aș fi fost dăruită de către Bivolaru Grigoriu. Nu mi-am început viața sexuală cu Bivolaru Grigoriu și a am întreținut niciodată relații sexuale cu acesta!!! Acesta nu mi-a făcut niciodată cadouri sau altfel de promisiuni

Știam că acesta este partenerul de viață al prietenei mele Miroma. Eu aveam doar o relație amicală cu Boiolaru Grigoriu. Este grotesc că s-a sugerat că aș avea relații sexuale [illegible] întrerupt periodic cu Boiolaru Grigoriu și Miroma. Nu este adevărată o asemenea afirmație și ea este foarte rău intenționată. Pentru orice om cu bun simț [illegible] la Constanța care o are Boiolaru pe care îi am eu, aș exclude imediat o asemenea posibilitate.

Datorită acestor declarații mincinoase eu am devenit un instrument în mâna autorităților care m-au folosit, m-au batjocorit, m-au umilit în fața unei țări întregi, prin intermediul televiziunii și presei, care puteau doar vedea scenarii de coșmar.

Autoritățile au construit un dosar pe baza declarației mele care mi-a fost luată sub presiune și fiind scrisă după dictarea procurorului.

Din 1 aprilie 2004 am fost sechestrat în casa lui Dordachi Florentina. Nu mi s-a permis să ies din casă sau din curte. Nu mi s-a permis să fiu vizitată de mama și soț spre a situația tragică [illegible]

să mi continui școala și nici nu a fost transferată la o altă școală în apropierea casei surorii mele, Jandarmi Florentina. Casa era supraveghiată în permanență.

Deși am fost considerată parte vătămată și minoră în acest dosar penal am fost excesiv mediatizată de toate posturile TV și presă. În această perioadă imaginea mea a rulat pe posturile T.V. de zeci de ori pe zi. Mi s-a prezentat întreaga mea viață privată. Am fost transformată de media într-un caz de interes național. Umilită, jignită, maltratată. Supusă marginalizării publice, defrodării -tă de mediul social, școlar, familial în care îmi derulam viața, plasată într-un context ireal cu consecințe vătămătoare asupra vieții mele.

M-au închis și nu-au sechestrat pentru că le era frică că voi merge și voi demasca toate mizeriile, toate abuzurile suferite. Practic a fost răpită și închisă.

Toate acestea se petreceau sub ordinul direct al procurorilor de la București.

[illegible] pecan mișcare
mea prin intermediul polițiștilor
care mă supraveghiau ca pe o
deținută. Chiar când ieșeam o
supraveghiată de [illegible]
care erau oameni care mă urmă
La un moment dat am mers la un
Mc. Donald's și la foarte scurt timp
după aceea am văzut cum disperatul
custumiant a fost înconjurat de
oameni care erau îmbrăcați în
haine de culoare închisă și care
aveau în urechi un fel de dispozitiv
la care vorbeau și toți priveau prin
ieșirile sau ferestrele restaurantului.
Apoi a venit soțul surorii mele
și mi-a spus să merg acasă și să
nu le fac probleme căci nu va fi
bine pentru mine.

Familia Feorentinei care ar fi
trebuit să aibă grijă de mine m-a
batjocorit cât timp am fost obligată
să locuiesc la ei. Nu primeam de
mâncare, am mâncat câteva
săptămâni doar lapte și pâine.
Știam că nu mă omoară pentru
că tocmai de acea cumpăraseră
[illegible]

Y Am stăbut mai mult de 10

Într-una din zile satul sau mele a aruncat peste mine un bun vidăndu-mi autoritatea și privirea mea insistentă în timp ce eu foceam baie.

Când am locuit la ea, Remus a vrut să ne căsătorim, dar ea și satul ei s-au împotrivit. Și nu i s-a dat dreptul de a avea o viață normală.

Eu nu am fost apropiată de această soră Iordache Florentina. Ne vedeam foarte rar aproximativ de 2 ori pe an. Nu are cum să știe nimic despre mine tot ceea ce știm sunt invenții construite împreună cu sora cealaltă. Astfel ele complotează împotriva mea pentru a face rost de partea mea de moștenire.

Sora mea Iordache Florentina, locuiește în Constanța nu cu noi în casa părinților sau în apropiere, ea venea foarte rar în vizită de sărbători.

Nu a văzut niciodată când lucram la sora mea Ilie Luminița, nici că mergeam la școală unde învățăm, nu știa absolut nimic -n-

despre viața mea. Ea doar a auzit
niște situații din care ce a auzit de
T.V. și fie soția mai mare.
Eu nu aveam altă ocazie să
vorbesc cu ea. Eram prima dată
acolo cu dispărtate.
Chiar în declarația ei dată sub
jurământ în fața unei instanțe de
judecată ea își exprimă costul:
"nu cunosc să fost-o niciodată pe
Madălina cu Bivolaru Grigoriu în
realitate", "faptul că Madălina ar
fi fost descinginată de Bivolaru
Grigoriu este o simplă bănuială a
mea", "Bivolaru nu a venit niciodată
la mine acasă", "împrejurările relatate
de mine referitoare la întâlnirea
Madălinei de la Poncuțiști nu le-am
văzut personal ci le știu de la
soția mea", "afirmația privind
asociația MISA modalitatea de a obține
venituri le-am făcut deoarece așa
am văzut la T.V. și mi s-au
arătat dovezi la Parchet", "am fost
chemată la parchet am auzit ce fac
de la ei (Procurori) și am dat
declarația pe care am dat-o

... fost influențată și astfel ... a ... lit cu bună știință și chiar ... /... unei ... ustanțe.

... ... și soțul ... Jen... ... lucrau, care nu este rudă cu mine, ... l mai corect și mi a spus fără ... l de falsc sau nu s.c. exprim ... ind nu cunoștea ... ... l.

Și chiar el confirmă faptul că eu nu eram în București în 2001, cât în anul lui 2002, eu lucram pe terasă la soacra mea, nu aveam nici o bucată cu yoghinii și mă înscriseși la Liceu în Mangalia.

Domnule Comandant vă dau și această declarație în speranța că veți face ca adevărul să triumfe și toate culegerile făcute de surorile mele să fie demascate și judecate de un procuror și un judecător drept.

Sper ca astfel să-mi faceți dreptate și viața mea să intre pe un făgaș normal.

Vă mulțumesc!

Cu sinceritate
Dumitru Mădălina

# Criminal complaint filed against my sister, Florentina Iordache for perjury

**DOMNULE PRIM-PROCUROR,**

Subsemnata
**DUMITRU MĂDĂLINA** – cetăţean roman, nascută la 13.09.1986, fiica lui Vasile şi a lui Tanţa, **domiciliată în Bucureşti, Str.Trompetului nr.14, sector 5,** formulez, depun şi susţin prezenta

*PLÂNGERE PENALĂ*

împotriva:
**învinuitei IORDACHE FLORENTINA** – cetăţean român, fiica lui Vsaile şi a lui Tanţa, născută la 27.08.1971, **domiciliată in mun. Constanţa, Str. Tabla Buţii nr.74, jud. Constanta**
pentru săvârşirea de către aceasta a infracţiunii de
- ***mărturie mincinoasă*** **prevăzută şi sancţionată de art.260 Cod penal roman**

Totodată solicit obligarea învinuitei la plata despăgubirilor aferente dupa cum urmează:
- **20.000 euro despăgubiri civile;**
- **25.000 euro daune morale;**
- cheltuieli judiciare.

**IN FAPT:**

În prezent Subsemnata DUMITRU MĂDĂLINA am calitatea de ***parte vătămată*** în Dosarul penal nr.405/85/2005 aflat pe rolul secţiei penale a Tribunalului Sibiu în care figurează ca inculpaţi Bivolaru Gregorian, Farcaşi Maria Mirona, ş.a, - aceştia fiind trimişi în judecată pentru savârşirea infracţiunilor de *corupţie sexuală, act sexual cu o minoră, trecerea frauduloasa a frontierei*, etc.

Subsemnata am dat declaraţie de ***parte vătămată*** în faţa instanţei de judecată **în data de 19.06.2009**. Cu această ocazie am aflat că **învinuita IORDACHE FLORENTINA** a fost audiată în această cauză în calitate de ***martor*** în **data de 31.05.2006** şi că aceasta a mai dat **declaraţii de martor,** in aceeaşi cauză, în faza de urmărire penală - Dosar nr 720/P/2003 PCAB - în zilele de **27.03.2004** (două declaraţii), **21.04.2004, 22.04.2004 şi 23.04.2004 .**

I. **CADRUL GENERAL ÎN CARE A FOST SAVÂRŞITĂ DE CĂTRE ÎNVINUITA *IORDACHE FLORENTINA* infracţiunea de *mărturie mincioasă.***

Subsemnata sunt soră cu **învinuita IORDACHE FLORENTINA.** Aceasta este căsătorită cu IORADCHE MARIAN şi împreună cu fetiţa lor minoră locuiesc în municipiul Constanţa.

Pe perioada minoratului meu eu am locuit la părinţii mei în staţiunea Costineşti, învinuita vizitându-ne când şi când. Încă de la vârsta de 13-14 ani până când m-am mutat cu şcoala în Bucureşti, Subsemnata am lucrat la pensiunea celeilalte surori ILIE LUMINIŢA, care se afla lângă casa mamei noastre. În fiecare vară, practic, tot timpul meu era alocat muncii la această pensiune condusă de către sora mea, eu servind ca ospătăriţă.

**DOMNULUI PRIM-PROCUROR AL PARCHETULUI DE PE LÂNGĂ JUDECĂTORIA CONSTANŢA**

1

**Din anul 2001** Subsemnata am urmat cursurile liceale în Mangalia şi am locuit în gazdă la o femeie în vârstă.

Întrucât am **dorit să îmi măresc** şansele de a intra la o facultate bună în Bucureşti, **în iarna anului 2002-2003** m-am **transferat** cu acordul părinţilor la Bucureşti, la Liceul Economic "Viilor".

Foarte curând **după aceea** am locuit cu prietena mea Farcaşi Mirona pe strada Vasile Grozavu nr.2, sector 5, Bucureşti. **Cam în aceeaşi** perioadă Subemnata am început să practic şi cursurile de yoga din cadrul MISA, înscriindu-mă în anul I şi avându-l instructor de yoga pe dl.Claudiu Trandafir. Viaţa mea decurgea în mod armonios şi echilibrat, în acord cu aspiraţiile şi visele unei adolescente de 16-17 ani care doreşte să urmeze cursurile universitare, care urmăreşte să acumuleze informaţii în cât mai multe domenii de cunoaştere şi care participă activ şi dinamic la viaţa socială şi culturală specifică vârstei.

**În anul 2003** am fost acasă la mama mea în Costineşti cu prietenul meu Lomoş Remus şi cu Farcaşi Mirona pentru a participa la înmormântarea tatălui meu Dumitru Vasile, care era grav bolnav de mai mulţi ani. Şi atunci, ca şi în perioada anterioară, când locuiam în Costineşti surorile mele mai mari: IORDACHE FLORENTINA şi ILIE LUMINIŢA se dovedeau preocupate de mine numai din perspectiva producerii a unui eventual venit, şi nu le interesa absolut deloc nevoile mele reale din acea perioadă specifice vârstei. Nu erau absolut deloc interesate de necesităţile mele materiale, morale, psihologice de dezvoltare. Astfel, aşa cum înainte de a mă muta cu şcoala în Bucureşti, acestea mă obligau practic să îmi aloc tot timpul numai muncii la pensiune sau oricărei activităţi care le-ar produce un venit material, acum, cu ocazia înmormântării tatălui, acestea ar fi dorit ca partea de succesiune ce mi-ar fi revenit mie în calitate de succesoare legală a tatălui nostrumă decedat, să le-o cedez în favoarea lor.

*Refuzul meu meu de atunci, precum şi perspectivele mele de dezvoltare şcolară şi implicit socială – prin integrarea mea la o şcoală din Bucureşti le-a provocat nemulţumire, şi chiar le-a atras invidia şi duşmănia.*

**În data de 18 martie 2004** autorităţile române: Parchetul, Politia, Jandarmeria au declanşat o campanie agresivă si abuzivă fără precedent împotrivă şcolii de yoga MISA si a cursanţilor ei, precum şi a d-lui Gregorian Bivolaru. Astfel, **în data de 18 martie 2004**, peste 300 de jandarmi, poliţişti şi procurori au descins simultan în 16 locuinţe particulare ale unor membri si simpatizanţi MISA - **unul dintre imobilele perchezitionate fiind şi cel în care locuiam Subsemnata, respectiv cel din str. Vasile Grozavu nr. 2, sector 5.** După cum au declarat şi ulterior autorităţile, acestea aveau cunoştinţă despre existenţa Subsemnatei la adresa respectivă, mai mult, au urmărit cu bună-ştiinţă identificarea mea acolo şi reţinerea mea..

Cu ocazia acestor percheziţii s-a format **Dosarul de urmărire penală nr 720/P/2003 instrumentat de procurorii din cadrul Parchetului pe lângă Curtea de Apel Bucureşti.**

Subsemnata am căpătat fără voia mea şi în condiţii deosebit de traumatizante pentru mine calitatea de ***parte vătămată*** în această cauză, în legătură cu care am aflat ulterior că sora mea, **învinuita IORDACHE FLORENTINA a dat mai multe declaraţii de martor care se dovedesc a fi mincinoase, perturbând în mod grav bunul mers al procesului penal şi cu repercursiuni deosebit de grave fizice şi morale s asupra Subsemnatei.**

## II. DECLARAŢIILE MINCINOASE EFECTUATE DE CĂTRE MARTORA *IORDACI FLORENTINA* (SORA MEA) CU OCAZIA AUDIERII SALE ÎN PREZENTA CAUZĂ, ÎN FA DE URMĂRIRE PENALĂ ŞI DE JUDECATĂ

**a). Iată declaraţiile mincinoase date de martora IORDACHE FLORENTINA în Dosarul pen nr.720/P/2003 PCAB în datele de 27.03.2004, 21.04.2004, 22.04.2004 şi 23.04.2004.**

- *" În vara anului 2001 mi-a pus că a mers singură la locţia yoghinilor din Costineşti şi că doreşte să între în asociaţia lor",*
- *" Bivolaru Gregorian a venit la domicilitul mamei mele pentru a o convinge pe Mădălina să se reintoarcă la yoghini. În acest sens i-a făcut mai multe cadouri lui Mădălina",*
- *" de asemenea Bivolaru Gregorian i-a serbat ziua de nastere lui Mădălina în locatia de yoghini cand aceasta a împlinit varsta de 15 ani",*
- *În 2001, nu mai retin data, Mădălina a mers cu scoala într-o excursie la Bucuresti pt.3 zile si nu s-a mai întors cu ceilalti elevi. A revenit acasa dupa aproximativ o săptămână. Declar faptul ca din comportamentul lui Mădăalina am înţeles că aceasta şi-a pierdut virginitatea înainte de a împlini varsta de 15 ani. Cred ca aceasta s-a întamplat atunci cand a fost în Bucureşti în excursie si nu s-a reintors cu ceilalti copii",*
- *" Mama mi-a spus că Mădălina a fost în Franta, Grecia, Japonia deoarece a primit vederi din aceste tari. (...) Cred că Mădălina a mers în acele ţări pentru a se prostitua",*
- *" Cred ca primul care a avut raport sexual cu sora mea este Bivolaru Gregorian",*
- *" Declar că acesta a profitat de naivitatea unei fete de 14 ani si pentru a-i câştiga increderea îi promitea diverse lucruri si îi dadea diverse cadouri si bani"*
- *Declar ca aceasta asociatie de yoghini MISA racoleaza fete tinere si frumoase în vedrea obtinerii de profituri financiare de pe urma practicarii de catre acestea a prostitutiei. De asemenea aceasta asociatie face filme porno care le distribuie în tara si strainatate",*
- *" Misa, secta care a racolat-o pe Mădălina pe cand avea 14 ani (...) a fost luata de acasa prin promisiuni, îndepartata de familie, iar în cei 2 ani cat am cautat-o si eu si mama nu am putut sa o gasim, aceasta secta ascunzand-o de fiecare data"*

**b). Iată declaraţiile mincinoase date de martora IORDACHE FLORENTINA în Dosarul de instanţă nr.405/85/2005 – Tribunalul Sibiu, din data de 31.05.2006.**

- *" îmi menţin declaraţiile date în faza de urmărire penală".* Astfel, in faza de instanţă, învinuita îşi reiterează toate afirmaţiile mincinoase pe care le-a efectuat ca şi martor în faza de urmărire penală.

ÎN REALITATE, Subsemnata MĂDĂLINA DUMITRU i-am cunoscut prima oară pe cîţiva yoghini din MISA şi pe inculpata Farcaşi Maria Mirona în toamna anului 2002, când eu aveam vârsta de 16 ani. Am început cursurile de yoga cu dl Claudiu Trandafir în toamna anului 2002. M-am transferat la Liceul Economic "Viilor" şi m-am mutat în Bucureşti abia la începutul anului 2003.

Nu mi-am început viaţa sexuală cu dl. Gregorian Bivolaru, nu am întreţinut niciodată relaţii sexuale cu acesta, nu mi-a făcut nici un fel de cadouri sau altfel de promisiuni în schimbul unor favoruri de natură sexuală sau de orice altă natură. Nu m-am aflat niciodată în raporturi de aservire faţă de inculpatul Greogian Bivolaru. Cu acesta m-am aflat în relaţii strict amicale având cunoştiinţă că este partenerul de viaţă al prietenei mele Farcaşi Mirona. Nu am întreţinut cu Farcaşi Mirona nici un fel de relaţii sexuale şi nici alte tipuri de perversiuni.

Nu am practicat niciodată prostituţia şi nici nu am efectuat muncă neretribuită sau alte fapte reprobabile.

Permanent am fost perfect integrată în viaţa socială, şcolară şi familială având preocupări şi aspiraţii specifice vîrstei.

**III. DIN PERSPECTIVA OBIECTULUI JURIDIC AL INFRACTIUNII DE *MĂRTURIE MINCINOASĂ* SĂVÂRŞITĂ DE ÎNVINUITA *IORDACHE FLORENTINA*, A FOST GRAV AFECTAT ATÂT MODUL DE INSTRUMENTARE A DOSARULUI 720/P72003 (405/85/2005 – în**

faza de instanță) și MI-AU FOST GRAV VĂTĂMATE DREPTURILE ȘI LIBERTĂȚILE MELE LEGALE.

a). Datorită declarațiilor mincinoase date de către IORDACHE FLORENTINA cu ocazia audierii acesteia în zilele **27.03.2004, 21, 22 ȘI 23.04.2004** a fost afectat grav modul în care autoritățile au desfășurat percheziția din 18.03.2004 precum și cum au înțeles să instrumenteze întreg dosarul de urmărire penală nr.720/P/2003 atât în ceea ce-i privește pe inculpații Bivolaru Gregorian, Farcași Mirona, ș.a, dar mai ales în ceea ce mă privește. Subsemnata fiind transformată în mod abuziv și desoebit de agresiv, fără voia mea, în ***parte vătămată*** în această cauză.

Cu ocazia descinderilor violente de la domiciliul meu din Str. Vasile Grozavu nr.2 din **18.03.2004** Subsemnata am fost practic căutată și identificată de procuror și jandarmi, trântită cu brutalitate la pământ și ținută cu forța într-o postură umilitoare în camera prietenei mele Farcași Mirona unde fugisem de spaimă că eram atacate de presupuși teroriști (ulterior am realizat căerau jandarmii care supravegheau percheziția ce uram să aibe loc la domiciliul nostru).

În tot acest răstimp am fost filmată de către cameramani ai Poliției în ținuta sumară de noapte, am fost agresată fizic și verbal, am fost ținută sub amenințarea armelor de foc de luptători mascați, timp de peste 14 ore. Procurorii și jandarmii mi-au interzis cu desăvârșire să iau legătura cu familia mea sau cu avocatul ales, deși eu am insistat permanent fiind deosebit de înfricoșată, speriată și traumatizată de percheziția la care eram supusă fără ca să mă fac vinovată de nimic sau să fi fost cercetată în vreo cauză penală sau de altă natură.

După toate acele ore traumatizante am fost practic ridicată de sus și dusă contra voinței mele la Parchetul despre care am aflat ulterior că era de pe lângă Curtea de Apel București.

Procurorul care m-a audiat mi-a solicitat **să dau o declarație în care să fac relatări depre cursurile de yoga pe care le frecventam în cadrul MISA și să scriu că dl. Bivolaru Gregorian este profesorul meu de yoga și că am întreținut relații sexuale cu acesta încă din toamna anului 2001 – aspecte complet nendevărate și care nu aveau nici o legatură cu realitatea !!! dar care fuseseră declarate în mod mincinos cu ocazia audierii în calitate de martor a învinuitei IORDACHE FLORENTINA.**

Întrucât am refuzat să efectuez astfel de declarații mincinoase procurorul de anchetă, împreună cu alți colegi care participau la audieri m-au amenințat, speriat și șantajat, creîndu-mi convingerea fermă că daca nu scriu declarația astfel cum aceștia mi-o dictează nu voi mai fi liberă, voi fi reținută în arestul Parchetului pe timp nedeterminat, nu voi putea să-mi contactez familia, avocatul și nici o altă persoană apropiată. Am fost agresată fizic și verbal inclusiv de psihologul care lucra pentru Parchet și care a fost chemat să participe la audierea mea, dra. Alina Raicu. Pe tot parcursul audierii nu mi s-a permis să îmi chem vreun membru al familei și nici să fiu asistată de avocatul meu ales.

Datorită fricii imense, a spaimei că pot să fiu arestată, a convingerii că daca nu declar cele dictate de procuror săvârșesc fapte ilegale, datorită epuizării fizice și morale în care mă aflam am acceptat să scriu o declarație care nu era în acord cu realitatea și nici cu voința mea.

În data de **19 martie 2004**, la 12 ore dupa audierea mea, m-am prezentat de buna voie la Parchetul Curții de Apel București pentru a-mi retrage declarația din 18 martie 2004, arătând că mi-a fost dictată sub teroare și amenințare. **Cu toate acestea, autoritățile au sfidat cele declarate de mine și m-au antrenat într-un proces penal bazat numai pe declarații mincinoase, producându-mi inestimabile prejudicii fizice și psihice.**

În **data de 1 aprilie 2004**, mi-am exprimat pentru a doua oara optiunea de a-mi retrage declaratia data în 18 martie sub amenințarea anchetatorilor, solicițând procurorilor sa dau o noua declaratie in prezenta

vocatului meu ales. Mi s-a interzis aceasta chiar de catre procurorul anchetator. Procurorii m-au reţinut şi m-au trimis forţat, cu maşinile Parchetului la Institutul Medico-Legal " Mina Minovici" dispunând să mi se efectueze o expertiza ginecologica si anala, contra voinţei mele

La sediul IML am fost smulsa de trupe SPIR din bratele logodnicului meu, Remus Lomos, si sechestrată împreună cu avocatul meu ales în interiorul IML.

Dupa 4 ore de retinere ilegala eu, logodnicul şi avocatul meu am fost urcaţi cu forţa într-o masina a SPIR şi duşi în trombă la sediul Poliţiei Capitalei.

Despărţită violent de logodnicul meu si de apărătorul meu ales, am fost dusă tot contra voinţei mele la Constanţa la familia învinuitei IORDACHE FLORENTINA.

Câteva zile mai tarziu am fost transportată cu forţa si impotriva vointei mele la Direcţia Generală de Protecţie a Copilului din Constanţa, unde fara respecterea legislatiei in domeniu si din nou impotriva vointei mele, am fost incredintata in plasament familial, incepind cu data de 06.04.2004, învinuitei si soţului acesteia Iordache Marian.

Din acele moment am fost practic sechestrată la domiciliul familiei învinuitei IORDACHE FLORENTINA, urmărită şi monitorizată permanent, fără să mi se permită să ies din casă şi din curtea casei. Nu mi s-a permis să îmi văd logodnicul Lomoş Remus şi nici să mă căsătoresc cu acesta deşi acesta a dorit asta.

Nu mi s-a permis să fiu vizitată de mama mea şi să-i relatez despre situaţia cumplită în care mă aflam. Am fost permanent hărţuită şi agresată fizic şi moral de către învinuită. Aceasta mi-a reţinut fără voia mea actele de identitate, paşaportul, hainele de stradă, telefonul mobil, Subsemnata fiind practic într-o izolare completă faţă de exterior. *S-a vrut astfel împiedicarea mea de a face declaraţiile adevărate pe care intenţionam să le dau în Dosarul 720/P/2003 - declaraţii care ar fi fost contra acuzaţiilor procurorilor de la acea data şi împotriva declaraţiilor mincinoase ale învinuitei - sora mea.*

Evident că nu mi s-a permis să îmi continui cursurile liceale la care eram înscrisă la acel moment şi nici nu am fost transferată la un alt liceu din preajma locuinţei învinuitei IORDACHE FLORENTINA. Toate acestea se petreceau cu ştiinţa şi permanenta supraveghere şi monitorizare a procurorilor, poliţiştilor şi întreg personalul auxiliar desemnat cu instrumenatrea acestui caz.

În toată această perioadă, Subsemnata DUMITRU MĂDĂLINA, deşi considerată *parte vătămată şi minoră* în aşa-zisul caz de corupţie sexuală, perversiuni sexuale, etc, **am fost excesiv mediatizată de toate posturile de televizuine şi presă, fiindu-mi încălcat în mod grav, chiar de autorităţi şi de mass-media *dreptul la imagine şi la viaţă privată*.** Pe parcursul acestei perioade imaginea mea a rulat pe toate posturile de televiziune de zeci de ori pe zi, am fost prezentată permanent în imagini special montate pentru a părea indecente, mi s-a prezentat întreaga mea viaţă privată, corespondenţa mea, fotografiile mele, însemnările mele, situaţia mea şcolară şi personală.

Am fost transformată de media – ziare şi televizuini - într-un "caz de interes naţional", am fost umilită, jignită, maltratată în direct, am fost supusă oprobiului şi chiar marginalizarii publice, am fost practic dezrădăcinată din mediul social, scolar şi familial în care îmi derulam în mod linistit viata. Am fost, astfel, plasată într-un context complet ireal cu consecinţe deosebit de vătămătoare asupra întregii mele existenţe. ***Consider că prin modul în care am fost tratată de către procurori, jurnalişi şi restul autorităţilor am fost supusă la un tratament umilitor şi degradant.***

**b). Ca urmare a menţinerii declaraţiilor mincinoase date de învinuita IORDACHE FLORENTIN** în faza de urmărire penală şi **în faza de judecată cu ocazia efectuării de către aceasta a declaraţiei de martor din 31.05.2006,** precum şi efectuarea de alte afirmaţii mincinoase s-a continuat perturbarea gravă a înfăptuirii actului de justiţie în această cauză, precum şi s-au creat premizele alterării atitudinii completului de judecată cu ocazia audierii Subsemnatei în data de 19.06.2009.

Astfel, deşi Subsemnata efectuam declaraţie în calitate de ***parte vătămată***, reprezentant Ministerului Public a manifestat permanent faţă de mine o atitudine ostilă, tendenţioasă, chiar agresivă, urmărind să mă determine să dau declaraţii care să confirme declaraţiile mincinoase ale învinuitei IORDACHE FLORENTINA. Acesta nu numai că nu a fost deloc preocupat în a-mi proteja drepturile şi libertăţile ce decurg din calitatea mea de *parte vătămată* într-un dosar penal şi nici nu a fost preocupat în aflarea adevarului, ci, dimpotrivă, m-a audiat ca şi cum aş fi săvârşit vreo faptă penală.

Reprezentantul Ministerului public a manifestat pe tot parcursul audierii mele ca şi a audierii celorlaţi martori un comportament părtinitor şi injust.

**ÎN CONCLUZIE, faţă de cele arătate mai sus, vă rog Domnule Prim- Procuror să constataţi că declaraţiile mincinoase ale învinuitei IORDACHE FLORENTINA au afectat în mod deosebit de grav relaţiile sociale privitoare la înfăptuirea justiţiei în Dosarul penal nr.405/85/2005 cu consecinţe deosebit de grave asupra Subsemnatei DUMITRU MĂDĂLINA care am fost vătămată în drepturile şi libertăţile mele legale.**

**Mi-a fost astfel încălcat: dreptul la libertate si siguranta, dreptul la aparare, dreptul la respectarea vietii private si de familie, libertatea de gandire, de constiinta si de religie, libertatea de exprimare, libertatea de intrunire si de asociere, dreptul la casatorie, dreptul la învăţătura dreptu' un recurs efectiv.**

## IV. ÎN DOVEDIRE:

În susţinerea celor declarate de subsemnata în prezenta plângere penală şi în dovedirea efectuării de către învinuita IORDACHE FLORENTINA a declaraţii mincinoase înţeleg să mă folosesc de următoarele dovezi:

- declaraţiile martorei IORDACHE FLORENTINA în dosarul de urmărire penală 720/P/2003 din datele de 27.03 2004, 21, 22. Şi 23.04.2004,
- declaraţia martorei AZIS ERIDAN, secretară la Liceul Economic Mangalia cu privire la transferul Subsemnatei la Liceul din Bucureşti în luna decembrie 2002,
- Cererea de transfer adresată de mama Subsemnatei Liceului economic Mangalia în data de 11.12. 2002,
- Adresă efectuată de către directorul Liceului din Mangalia la care eram elevă către Liceul Economic "Viilor" din 11.12.2002 cu privire la situaţia şcolară a Subsemnatei, şi a faptului că absolvisem primul semestru al anului II în acel liceu,
- Adresă nr.285/19.04.2004 a directorului Liceului Economic Viilor cu privire la momentul transeferului Subsemnatei la acest liceu şi a situaţiei mele şcolare,
- Declaraţia martorului IORDACHE MARIAN din 27.03.2004, SOŢUL ÎNVINUITEI, din care reiese că în vara-toamna anului 2002 Subsemnata încă lucram la terasa sorei mele Ilie Luminiţa şi că abia în acel an am cunoscut pentru prima oară câtiva yoghini din cadrul MISA!
- Legitimaţia de curs a Subsemnatei confiscată de procurori cu ocazia percheziţiei din care reiese că în anul 2003-2004 Subsemnata eram abia anul II la cursul de yoga şi îl aveam ca instructor de yoga pe dl Claudiu Trandafir,
- Procesul-verbal din 01.01.2004 întocmit de procurorii de anchetă din Dosarul de urmărire penală 720/P/2003 în care sunt trimisă contra voinţei mele la IML pentru efectuarea unei expertize ginecologice,
- Decizia Curţii Supreme de la Stockholm cu privire la neextrădarea inculpatului Gregorian Bivolaru în cauza în care Subsemnata figurez ca parte vătămată

- declarația martorei IORDACHE FLORENTINA din 31.05.2006 în Dosarul penal nr.405/85/2005,
- declarația Subsemnatei de parte-vătămată din data de 19.06.2009 în fața instanței penale a tribunalului Sibiu,
- articolele de ziar și știrile de pe toate posturile de televiziune cu privire la Subsemnata din data de 18.03.2004 și până în prezent.

Mai înțeleg să mă folosesc de proba cu martori, înscrisuri, înregistrări audio-video și orice alt probe se vor dovedi utile cu ocazia efectuării cercetărilor penale.

**ÎN CONCLUZIE, față de cele arătate mai sus, vă rog Domnule prim-procuror să constatați că în ceea ce o privește pe IORDACHE FLORENTINA sunt întrunite elementele constitutive ale infracțiunii de *mărturie mincinoasă* și pe cale de consecință să dispuneți cercetarea penală și sancționarea acesteia conform dispozițiilor art.260 Cod penal roman.**

7

# Criminal complaint filed against my sister, Luminita Ilie for perjury

**DOMNULE PRIM-PROCUROR,**

Subsemnata
**DUMITRU MĂDĂLINA** – cetăţean roman, nascută la 13.09.1986, fiica lui Vasile şi a lui Tanţa, **domiciliată în Bucureşti, Str.Trompetului nr.14, sector 5,** formulez, depun şi susţin prezenta

***PLÂNGERE PENALĂ***

împotriva:
**învinuitei ILIE LUMINIŢA** – cetăţean român, născută la data de 10.06.1970 **domiciliată în Costineşti, str. Gării nr.99, jud. Constanţa,** pentru savârşirea de către aceasta a infracţiunii de:

- ***mărturie mincinoasă*** **prevăzută şi sancţionată de art.260 Cod penal roman**

Totodată solicit obligarea învinuitei la plata despăgubirilor aferente dupa cum urmează:
**- 20.000 euro despăgubiri civile;**
**- 25.000 euro daune morale;**
- cheltuieli judiciare.

**IN FAPT:**

În prezent Subsemnata DUMITRU MĂDĂLINA am calitatea de ***parte vătămată*** în Dosarul penal nr.405/85/2005 aflat pe rolul secţiei penale a Tribunalului Sibiu în care figurează ca inculpaţi Bivolaru Gregorian, Farcaşi Maria Mirona, ş.a, - aceştia fiind trimişi în judecată pentru savârşirea infracţiunilor de *corupţie sexuală, act sexual cu o minoră, trecerea frauduloasa a frontierei*, etc.

Subsemnata am dat declaraţie de ***parte vătămată*** în faţa instanţei de judecată **în data de 19.06.2009**. Cu această ocazie am aflat că **învinuita ILIE LUMINIŢA** a fost audiată în această cauză în calitate de *martor* în **data de 08.02.2008** şi că aceasta a mai dat **declaraţii de martor,** in aceeaşi cauză, în faza de urmărire penală - Dosar nr 720/P/2003 PCAB - în zilele de **16.03.2004, 22.03.2004 şi 28.03.2004 .**

I. **CADRUL GENERAL ÎN CARE A FOST SAVÂRŞITĂ DE CĂTRE ÎNVINUITA *ILIE LUMINIŢA* infracţiunea de *mărturie mincioanasă.***

Subsemnata sunt soră cu **învinuita ILIE LUMINIŢA.** Aceasta locuieşte în Costineşti, lângă casa mamei noastre şi deţine o pensiune pe care, pe perioada vacanţei de vară, o închiriază turiştilor veniţi pe litoral. La această pensiune se poate servi şi masa, Subsemnata servind ca şi ospătăriţă încă de la vârsta de 13-14 ani până
când m-am mutat cu şcoala în Bucureşti. În fiecare vară, practic, tot timpul meu era alocat muncii la această pensiune condusă de către sora mea ILIE LUMINIŢA.

**Din anul 2001** Subsemnata am urmat cursurile liceale în Mangalia şi am locuit în gazdă la o femeie în vârstă.

Întrucât am dorit să îmi măresc şansele de a intra la o facultate bună în Bucureşti, **în iarna anului 2002-2003** m-am transferat cu acordul părinţilor la Bucureşti, la Liceul Economic "Viilor".

**DOMNULUI PRIM-PROCUROR AL PARCHETULUI DE PE LÂNGĂ JUDECĂTORIA CONSTANŢA**

1

Foarte curând după aceea am locuit cu prietena mea Farcaşi Mirona pe strada Vasile Grozavu nr.2, sector 5, Bucureşti. Cam în aceeaşi perioadă Subemnata am început să practic şi cursurile de yoga din cadrul MISA, înscriindu-mă în anul I şi avându-l instructor de yoga pe dl.Claudiu Trandafir. Viaţa mea decurgea în mod armonios şi echilibrat, în acord cu aspiraţiile şi visele unei adolescente de 16-17 ani care doreşte să urmeze cursurile universitare, care urmăreşte să acumuleze informaţii în cât mai multe domenii de cunoaştere şi care partcipă activ şi dinamic la viaţa socială şi culturală specifică vârstei.

**În anul 2003** am fost acasă la mama mea în Costineşti cu prietenul meu Lomoş Remus şi cu Farcaşi Mirona pentru a participa la înmormântarea tatălui meu Dumitru Vasile, care era grav bolnav de mai mulţi ani. Şi atunci, ca şi în perioada anterioară, când locuiam în Costineşti surorile mele mai mari se dovedeau preocupate de mine numai din perspective producerii a unui eventual venit, şi nu le interesa absolut deloc nevoile mele reale din acea perioadă şi specifice vârstei precum şi necesităţile mele materiale, morale, psihologice de dezvoltare. Astfel, aşa cum înainte de a mă muta cu şcoala în Bucureşti acestea mă detreminau să îmi aloc tot timpul numai muncii la pensiune sau oricărei activităţi care le-ar produce un venit material, acum, cu ocazia înmormântării tatalui acestea ar fi forit ca partea de succesiune ce mi-ar fi revenit să o cedez în favoarea lor.

**În data de 18 martie 2004** autorităţile române: Parchetul, Politia, Jandarmeria au declanşat o campanie agresivă si abuzivă fara precedent împotrivă şcolii de yoga MISA si a cursanţilor ei, precum şi a d-lui Gregorian Bivolaru. Astfel, **în data de 18 martie 2004**, peste 300 de jandarmi, poliţişti şi procurori au descins simultan în 16 locuinţe particulare ale unor membri si simpatizanţi MISA - **unul dintre imobilele percheziţionate fiind şi cel în care locuiam Subsemnata, respectiv cel din str. Vasile Grozavu nr. 2, sector 5.** După cum au declarat şi ulterior autorităţile, acestea aveau cunoştinţă despre existe[illegible] Subsemnatei la adresa respectivă, mai mult, au urmărit cu bună-ştiinţă identificarea mea acolo şi reţinerea mea..

Cu ocazia acestor percheziţii s-a format **Dosarul de urmărire penală nr 720/P/2003 instrumentat de procurorii din cadrul Parchetului pe lângă Curtea de Apel Bucureşti.**

Subsemnata am căpătat fără voia mea şi în condiţii deosebit de traumatizante pentru mine calitatea de *parte vătămată* în această cauză, în legătură cu care am aflat ulterior că sora mea, **învinuita ILIE LUMINIŢA a dat mai multe declaraţii de martor care se dovedesc a fi mincinoase, perturbând în mod grav bunul mers al procesului penal şi cu repercursiuni deosebit de grave fizice şi morale şi asupra Subsemnatei.**

## II. DECLARAŢIILE MINCINOASE EFECTUATE DE CĂTRE MARTORA ILIE LUMINITA (SORA MEA) CU OCAZIA AUDIERII SALE ÎN PREZENTA CAUZĂ, ÎN FAZA DE URMĂRIRE PENALĂ ŞI DE JUDECATĂ

**a). Iată declaraţiile mincinoase date de martora ILIE LUMINIŢA în Dosarul penal nr.720/P/2003 PCAB în datele de 16.03.2004, 22.03.2004 şi 28.03.2004 .**

- " În vara anului 2001 (..) am cazat un grup de yoghini la pensiunea administrată de mine. În această activitate eram ajutată de sora mea Mădălina, în vârsta de 14 ani. Aceşti yoghini au invitat-o pe Mădălina la casa lor din Costineşti (…) să practice cursuri de yoga, sens în care i-au eliberat gratuit o legitimaţie";
- " declar că aceste legitmaţii nu se eliberau decât cu acordul lui Gregorian Bivolaru, despre care am aflat ca este D-zeul lor";
- "Mădălina a fot ademenită de yoghini cu diferite sume de bani şi un telefon mobil"
- " Din lunile ianuarie - februarie 2003 am reuşit să discut cu Mădălina de 3-4 ori. Din discuţiile purtate cu aceasta cred că Mădălina practică prostituţia şi nu mai urmează cursurile Colegiului"

- "Mădălina de când s-a inscris la cursurile de yoga s-a indepartat de familie şi are un comportament deviant"

- " Dumitru Mădălina imi este soră şi aceasta a inceput să practice cursurile de yoga în cadrul organizat de Bivolaru Gregorian, in vara anului 2000 sau 2001";
- " ştiu că Mădălina a obţinut acea legitimaţie (...) gratuit";
- " In tot cursul acelei veri Mădălina a urmat cursuri de yoga in tabara de la Costinesti";
- " In acelasi an pe 13 septembrie yoghinii i-au serbat ziua de nastere (..) a primit un telefon mobil, cred ca de la Bivolaru şi era foarte incantata ca acesta ii promisese ca o va ajuta sa-si termine studiile si ca ii va plati chiria la Mangalia, unde incepuse cursurile la Liceul Economic"
- " sunt convinsa ca banii pt chirie erau de la Bivolaru"

- " ulterior Madalina s-a mutat in Bucuresti (...) Cred ca toate cheltuielile de intretinere pentru Mădălina erau plătite de catre Bivolaru Gregorian"
- " Banuiesc ca Mădălina a intretinut acte sexuale cu Bivolaru Gregorian, deoarece am vazut la mama mea mai multe fotografii ale Mădălinei cu Bivolaru Gregorian si cu Mirona si de altfel nu-mi explic sa fie altfel deoarece Bivolaru i-a asigurat Mădălinei locuinta si mijloacele financiare".
- "eu cred ca Mădălina a inceput sa intretina acte sexuale cu Bivolaru Gregorian chiar din vara cand a luat contact cu tabara yoghinilor din Costinesţti ".

**b). Iată declaraţiile mincinoase date de martora ILIE LUMINIŢA în Dosarul de instanţă nr.405/85/2005 – Tribunalul Sibiu, din data de 04.02.2008.**

- " îmi menţin declaratiile date în faza de urmărire penală",
- "ştiu din spusele părţii vătămate că acesteia i-au fost oferiţi bani, bijuterii, casetofon cu căşti, I s-a organizat ziua de naştere şi i-a fost cumpărat un tort pentru a fi detereminată să intre în rândul participanţilor MISA, ea spunând că inculpate Mirona farcaţi i-a oferit cadouri, iar de la inculpatul baivolaru Gregorian am înţeles că ar fi primit un telefon mobil".
- " precizez că eu am primit telefoane pet imp de nopate de la mai mulşi indivizi, care ne cererau să nu o mai căutăm întrucât Mădălina nu se va mai întoarce acasă, spunând că au luat-o de pe stradă şi au ajutat-o ",
- "eu am văzut o serie de fotografii indecente reprezentând pe partea vătămată şi inculpate Farcaşi Mirona",
- "am înţeles că trebuie să se prezinte personal pentru a fi văzută de inculpate înaninte de a fi primită în MISA",
- " ştiu că nu a făcut nici o şcoală în Bucureşti ".

**ÎN REALITATE, Subsemnata MĂDĂLINA DUMITRU i-am cunoscut prima oară pe cîţiva yoghini din MISA şi pe inculpata Farcaşi Maria Mirona în toamna anului 2002, când eu aveam vârsta de 16 ani. Am început cursurile de yoga cu dl Claudiu Trandafir în toamna anului 2002. M-am transferat la Liceul Economic "Viilor" şi m-am mutat în Bucureşti abia la inceputul anului 2003.**

**Nu mi-am început viaţa sexuală cu dl. Gregorian Bivolaru, nu am întreţinut niciodată relaţii sexuale cu acesta, nu mi-a făcut nici un fel de cadouri sau altfel de promisiuni în schimbul unor favoruri de natură sexuală sau de orice altă natură. Nu m-am aflat niciodată în raporturi de aservire faţă de inculpatul Greogian Bivolaru. Cu acesta m-am aflat în relaţii strict amicale având cunoştiinţă că este partenerul de viaţă al prietenei mele Farcaşi Mirona. Nu am întreţinut cu Farcaşi Mirona nici un fel de relaţii sexuale şi nici alte tipuri de perversiuni.**

**Nu am practicat niciodată prostituţia şi nici nu am efectuat muncă neretribuită sau alte fapte reprobabile.**

**Permanent am fost perfect integrată în viaţa socială, şcolară şi familială având preocupări aspiraţii specifice vîrstei.**

III. DIN PERSPECTIVA OBIECTULUI JURIDIC AL INFRACTIUNII DE *MĂRTURIE MINCINOASĂ* SĂVÂRŞITĂ DE ÎNVINUITA ILIE LUMINIŢA, A FOST GRAV AFECTAT ATÂT MODUL DE INSTRUMENTARE A DOSARULUI 720/P72003 (405/85/2005 – în faza de instanţă) şi MI-AU FOST GRAV VĂTĂMATE DREPTURIE ŞI LIBERTĂŢILE MELE LEGALE.

a). Datorită declaraţiilor mincinoase date de către ILIE LUMINIŢA cu ocazia audierii acesteia în zilele **16.03.2004, 22.03.2004 şi 28.03.2004** a fost afectat grav modul în care autorităţile au desfăşurat percheziţia din 18.03.2004 precum şi cum au înţeles să instrumenteze întreg dosarul de urmărire penală nr.720/P/2003 atât în ceea ce-i priveşte pe inculpaţii Bivolaru Gregorian, Farcaşi Mirona, ş a, dar mai ales în ceea ce mă priveşte. Subsemnata fiind transformată în mod abuziv şi desoebit de agresiv, fără voia mea, în ***parte vătămată*** în această cauză.

Cu ocazia descinderilor violente de la domiciliul meu din Str. Vasile Grozavu nr.2 din **18.03.2004** Subsemnata am fost practic căutată şi identificată de procuror şi jandarmi, trântită cu brutalitate la pământ şi ţinută cu forţa într-o postură umilitoare în camera prietenei mele Farcaşi Mirona unde fugisem de spaimă că eram atacate de presupuşi terorişti ( ulterior am realizat căerau jandarmii care supravegheau percheziţia ce uram să aibe loc la domiciliul nostru).

În tot acest răstimp am fost filmată de către cameramani ai Poliţiei în ţinuta sumară de noapte, am fost agresată fizic şi verbal, am fost ţinută sub ameninţarea armelor de foc de luptători mascaţi, timp de peste 14 ore. Procurorii şi jandarmii mi-au interzis cu desăvârşire să iau legătura cu familia mea sau cu avocatul ales, deşi eu am insistat permanent fiind deosebit de înfricoşată, speriată şi traumatizată de percheziţia la care eram supusă fără ca să mă fac vinovată de nimic sau să fi fost cercetată în vreo cauză penală sau de altă natură.

După toate acele ore traumatizante am fost practic ridicată pe sus şi dusă contra voinţei mele la Parchetul despre care am aflat ulterior că era de pe lângă Curtea de Apel Bucureşti.

Procurorul care m-a audiat mi-a solicitat **să dau o declaraţie în care să fac relatări despre cursurile de yoga pe care le frecventam în cadrul MISA şi să scriu că dl. Bivolaru Gregorian este profesorul sau de yoga şi că am întreţinut relaţii sexuale cu acesta încă din toamna anului 2001 – aspecte complet neadevărate şi care nu aveau nici o legatură cu realitatea !!! dar care fuseseră declarate în mod mincinos cu ocazia audierii în calitate de martor a învinuitei ILIE LUMINIŢA.**

Întrucât am refuzat să efectuez astfel de declaraţii mincinoase procurorul de anchetă, împreună cu alţi colegi care participau la audieri m-au ameninţat, speriat şi şantajat, creîndu-mi convingerea fermă că dacă nu scriu declaraţia astfel cum aceştia mi-o dictează nu voi mai fi liberă, voi fi reţinută în arestul Parchetului pe timp nedeterminat, nu voi putea să-mi contactez familia, avocatul şi nici o altă persoană apropiată. Am fost agresată fizic şi verbal inclusiv de psihologul care lucra pentru Prachet şi care a fost chemat să participe la audierea mea, dra. Alina Raicu. Pe tot parcursul audierii nu mi s-a permis să îmi chem vreun membru a familiei şi nici să fiu asistată de avocatul meu ales.

Datorită fricii imense, a spaimei că pot să fiu arestată, a convingerii că daca nu declar cele dictate de procuror săvârşesc fapte ilegale, datorită epuizării fizice şi morale în care mă aflam am acceptat să scriu o declaraţie care nu era în acord cu realitatea şi nici cu voinţa mea.

În data de **19 martie 2004**, la 12 ore dupa audierea m-am prezentat de buna voie la Parchetul Curţii de Apel Bucureşti pentru a-mi retrage declaraţia din 18 martie 2004, arătând că mi-a fost dictată sub teroare şi ameninţare. **Cu toate acestea, autorităţile au sfidat cele declarate de mine şi m-au antrenat într-un proces penal bazat numai pe declaraţii mincinoase, producându-mi inestimabile prejudicii fizice şi psihice.**

în data de 1 aprilie 2004, mi-am exprimat pentru a doua oara optiunea de a-mi retrage declaratia data în 18 martie sub amenințarea anchetatorilor, soliciând procurorilor sa dau o noua declaratie in prezenta avocatului meu ales. Mi s-a interzis aceasta chiar de catre procurorul anchetator. Procurorii m-au reținut și m-au trimis forțat, cu mașinile Parchetului la Institutul Medico-Legal " Mina Minovici" dispunând să mi se efectueze o expertiza ginecologica si anala, contra voinței mele

La sediul IML am fost smulsa de trupe SPIR din bratele logodnicului meu, Remus Lomos, si sechestrată împreună cu avocatul meu ales în interiorul IML.

Dupa 4 ore de retinere ilegala eu, logodnicul și avocatul meu am fost urcați cu forța într-o masina a SPIR și dusi în trombă la sediul Poliției Capitalei.

Despărțită violent de logodnicul meu si de apărătorul meu ales, am fost dusă tot contra voinței mele la Constanța la familia celilalte surori ale mele Iordache Florentina.

Câteva zile mai tarziu am fost transportată cu forța si impotriva vointei mele la Direcția Generală de Protecție a Copilului din Constanța, unde fara respecterea legislatiei in domeniu si din nou impotriva vointei mele, am fost incredintata in plasament familial, incepind cu data de 06.04.2004, surorii mele mai mari si soțului acesteia si anume familia Iordache Marian si Florentina.

Din acele moment am fost practic sechestrată la domiciliul familiei Iordache, urmărită și monitorizată permanent, fără să mi se permită să ies din casă și din curtea casei. Nu mi s-a permis să îmi văd logodnicul Lomoș Remus și nici să mă căsătoresc cu acesta deși acesta a dorit asta.

Nu mi s-a permis să fiu vizitată de mama mea și să-i relatez despre situația cumplită în care mă aflu.

Evident că nu mi s-a permis să îmi continui cursurile liceale la care eram înscrisă la acel moment și nici nu am fost transferată la un alt liceu din preajma locuinței surorii mele Iordache Florentina. Toate acestea se petreceau cu știința și permanenta supraveghere și monitorizare a procurorilor, polițiștilor și întreg personalul auxiliar desemnat cu instrumenatrea acestui caz.

În toată această perioadă, Subsemnata DUMITRU MĂDĂLINA, deși considerată *parte vătămată și minoră* în așa-zisul caz de corupție sexuală, perversiuni sexuale, etc, **am fost excesiv mediatizată de toate posturile de televizuine și presă.** Pe parcursul acestei perioade imaginea mea a rulat pe toate posturile de televizine de zeci de ori pe zi, am fost prezentată permanent în imagini special montate pentru a apărea indecente, mi s-a prezentat întreaga mea viață privată, corespondența mea, fotografiile mele, însemnările mele, situația mea școlară și personală.

Am fost transformată de media – ziare și televizuini - într-un "caz de interes național", am fost umilită, jignită, maltratată în direct, am fost supusă oprobiului și chiar marginalizarii publice, am fost practic dezrădăcinată din mediul social, școlar și familial în care îmi derulam în mod liniștit viața și plasată într-un context complet ireal cu consecințe deosebit de vătămătoare asupra întregii mele existențe.

**b). Ca urmare a menținerii declarațiilor mincinoase date de învinuita ILIE LUMINIȚA** în faza de urmărire penală și **în faza de judecată cu ocazia efectuării de către aceasta a declarației de martor din 04.02.2008,** precum și efectuarea de alte afirmații mincinoase s-a continuat perturbarea gravă a înfăptuirii actului de justiție în această cauză, precum și s-au creat premizele alterării atitudinii completului de judecată cu ocazia audierii Subsemnatei în data de 19.06.2009.

Astfel, deși Subsemnata efectuam declarație în calitate de ***parte vătămată***, reprezentantul Ministerului Public a manifestat permanent față de mine o atitudine ostilă, tendențioasă, chiar agresivă, urmărind să mă determine să dau declarații care să confirme declarațiile mincinoase ale învinuitei ILIE LUMINIȚA. Acesta nu numai că nu a fost deloc preocupat în a-mi proteja drepturile și libertățile ce decurg din calitatea mea de *parte vătămată* într-un dosar penal și nici nu a fost preocupat în aflarea adevarului,ci, dimpotrivă, m-a audiat ca și cum aș fi săvârșit vreo faptă penală.

Reprezentantul Ministerului public a manifestat pe tot parcursul audierii mele ca și a audierii celorlați martori un comportament părtinitor și injust.

**ÎN CONCLUZIE, față de cele arătate mai sus, vă rog Domnule Prim- Procuror să constatați că declarațiile mincinoase ale învinuitei ILIE LUMINIȚA au afectat în mod deosebit de grav relațiile**

**sociale privitoare la înfăptuirea justiției în Dosarul penal nr.405/85/2005 cu consecințe deosebit de grave asupra Subsemnatei DUMITRU MĂDĂLINA care am fost vătămată în drepturile și libertățile mele legale.**

**Mi-a fost astfel încălcat: dreptul la libertate si siguranta, dreptul la aparare, dreptul la respectarea vietii private si de familie, libertatea de gandire, de constiinta si de religie, libertatea de exprimare, libertatea de intrunire si de asociere, dreptul la casatorie, dreptul la învățătura dreptul la un recurs efectiv.**

Iç. **ÎN DOVEDIRE:**

În susținerea celor declarate de subsemnata în prezenta plângere penală și în dovedirea efectuării de către învinuita ILIE LUMINȚA a declarații mincinoase înțeleg să mă folosesc de următoarele dovezi:

- declarațiile martorei ILIE LUMINIȚA în dosarul de urmărire penală 720/P/2003 din datele de 16.03 2004, 22.03.2004 și 28.03.2004,
- declarația martorei AZIS ERIDAN, secretară la Liceul Economic Mangalia cu privire la transferul Subsemnatei la Liceul din București în luna decembrie 2002,
- Cererea de transfer adresată de mama Subsemnatei Liceului economic Mangalia în data de 11.12. 2002,
- Adresă efectuată de către directorul Liceului din Mangalia la care eram elevă către Liceul Economic "Viilor" din 11.12.2002 cu privire la situația școlară a Subsemnatei, și a faptului că absolv.m primul semestru al anului II în acel liceu,
- Adresă nr.285/19.04.2004 a directorului Liceului Economic Viilor cu privire la momentul transeferului Subsemnatei la acest liceu și a situației mele școlare,
- Declarația martorului IORDACHE MARIAN din 27.03.2004 din care reiese că în vara-toamna anului 2002 Subsemnata încă lucram la terasa sorei mele Ilie Luminița și că abia în acel an am cunoscut pentru prima oară câtiva yoghini din cadrul MISA,
- Legitimația de curs a Subsemnatei confiscată de procurori cu ocazia percheziției din care reiese că în anul 2003-2004 Subsemnata eram abia anul II la cursul de yoga ți îl aveam ca instructor de yoga pe dl Claudiu Trandafir,
- Procesul-verbal din 01.01.2004 întocmit de procurorii de anchetă din Dosarul de urmărire penală 720/P/2003 în care sunt trimisă contra voinței mele la IML pentru efectuarea unei expertise ginecologice,
- Decizia Curții Supreme de la Stocholm cu privire la neextrădarea inculpatului Gregorian Bivolaru în cauza în care Subsemnata figurez ca parte vătămată
- declarația martorei ILIE LUMINIȚA din 04.02.2008 în Dosarul penal nr.405/85/2005,
- declarația Subsemnatei de parte-vătămată din data de 19.06.2009 în fața instanței per.s a tribunalului Sibiu,
- articolele de ziar și știrile de pe toate posturile de televiziune cu privire la Subsemnata din data de 18.03.2004 și până în prezent.

Mai înțeleg să mă folosesc de proba cu martori, înscrisuri, înregistrări audio-video și orice alt probe se vor dovedi utile cu ocazia efectuării cercetărilor penale.

**ÎN CONCLUZIE, față de cele arătate mai sus, vă rog Domnule prim-procuror să constatați că în ceea ce o privește pe ILIE LUMINIȚA sunt întrunite elementele constitutive ale infracțiunii de *mărturie mincinoasă* și pe cale de consecință să dispuneți cercetarea penală și sancționarea acesteia conform dispozițiilor art.260 Cod penal roman.**

**Parte vătămată DUMITRU MĂDĂLINA**

6

# ANNEX III

# REPORT BY THE ASSOCIATION OF SOLIDARITY FOR FREEDOM OF CONSCIENCE ON THE VIOLATION OF MINORS' RIGHTS IN MY CASE (MĂDĂLINA DUMITRU)

Asociaţia Solidaritatea *pentru* Libertatea *de* Conştiinţă
Buzău, str. Democraţiei nr. 42, tel. 0747 034431, email: aslcbz@yahoo.com

Solidaritatea pentru
Libertatea de
Conştiinţă
Nr. 2/.01.2010

Către,

**TRIBUNALUL SIBIU - DOSAR PENAL 405/85/2005, Termen: 22.01.2010**

**DOAMNĂ PREŞEDINTE,**

Subscrisa, Asociaţia SOLIDARITATEA pentru LIBERTATEA de CONŞTIINŢĂ (SLC) este persoană juridică română, înregistrată conform legislaţiei române şi funcţionează ca o organizaţie non-guvernamentală non-profit, independentă, autonomă, fără scop patrimonial şi cu patrimoniul delimitat de cel al persoanelor fizice-membri ai Asociaţiei, supusă legislaţiei române aplicabile acestui tip de persoane juridice. (art. 3).

Asociaţia a avut numeroase acţiuni şi a iniţiat şi derulat proiecte privind combaterea discriminării, a sesizat în mai multe cazuri Consiliul Naţional pentru Combaterea Discriminării sau alte instituţii/autorităţi publice în vederea prevenirii sau combaterii unor acte/fapte de discriminare şi a avut acţiuni în instanţele de judecată (inclusiv la nivelul Înaltei Curţi de Casaţie şi Justiţie a României, sau, prin membrii acesteia, la nivelul Curţii Europene a Drepturilor Fiinţei Umane), a publicat în numele ei sau prin membrii acesteia articole în reviste care abordează problematica drepturilor fiinţei umane sau lucrări de specialitate. A elaborat trei rapoarte ample privind climatul respectării libertăţii de gândire, conştiinţă şi religie.

**În anul 2004, Asociaţia Solidaritatea pentru Libertatea de Conştiinţă (SLC)** ***a hotărât investigarea alegaţiilor privind supunerea unor adepte ale organizaţiei Mişcarea pentru Integrarea Spirituală în Absolut (MISA), în momentul în care acestea erau încă minore, unor abuzuri.*** **Hotărârea a fost motivată de sesizările ajunse la asociaţie, dar ea poate fi considerată şi o autosesizare datorită gravităţii evenimentelor ce se derulau în cazul MISA.**

Dedicată combaterii discriminărilor pe bază de gândire, conştiinţă şi religie, Asociaţia Solidaritatea pentru Libertatea de Conştiinţă a considerat nu doar că problematica ridicată de MISA intră în obiectivele sale statutare, dar constituie un caz de maxim interes şi de ordin doctrinar. Asociaţia noastra s-a implicat în numeroase alte acţiuni în favoarea minorilor, în particular, deschizând procese în situaţiile în care aceştia erau puşi în pericol.

Prin prezenta adresă vă înaintăm alăturat Raportul efectuat de Asociaţia noastră, în urma investigaţiilor realizate.

Vă asigurăm de înalta noastră consideraţie,

Cu stimă,

Preşedinte,
**EMIL MOISE**

Asociaţia Solidaritatea *pentru* Libertatea *de* Conştiinţă
Buzău, str. Democraţiei nr. 42, tel. 0747 034431, email: aslcbz@yahoo.com

Solidaritatea pentru
Libertatea de
Conştiinţă
Nr. 2/.01.2010

Către,

TRIBUNALUL SIBIU - DOSAR PENAL 405/85/2005

Termen: 22.01.2010

**DOAMNĂ PREŞEDINTE,**

Subscrisa, Asociaţia SOLIDARITATEA pentru LIBERTATEA de CONŞTIINŢĂ (SLC) este persoană juridică română, înregistrată conform legislaţiei române şi funcţionează ca o organizaţie non-guvernamentală non-profit, independentă, autonomă, fără scop patrimonial şi cu patrimoniul delimitat de cel al persoanelor fizice-membri ai Asociaţiei, supusă legislaţiei române aplicabile acestui tip de persoane juridice. (art. 3).

*Asociaţia* desfăşoară din anul 2004 activităţi dedicate promovării libertăţii de conştiinţă ca drept fundamental al omului, creării unui climat de toleranţă între cetăţeni, a respectului faţă de persoana umană (art. 6 al Statului *Asociaţiei*) şi, în particular, a întăririi responsabilităţii în domeniul protecţiei minorilor.

Asociaţia a avut numeroase acţiuni şi a iniţiat şi derulat proiecte privind combaterea discriminării, a sesizat în mai multe cazuri Consiliul Naţional pentru Combaterea Discriminării sau alte instituţii/autorităţi publice în vederea prevenirii sau combaterii unor acte/fapte de discriminare şi a avut acţiuni în instanţele de judecată (inclusiv la nivelul Înaltei Curţi de Casaţie şi Justiţie a României, sau, prin membrii acesteia, la nivelul Curţii Europene a Drepturilor Fiinţei Umane), a publicat în numele ei sau prin membrii acesteia articole în reviste care abordează problematica drepturilor fiinţei umane sau lucrări de specialitate. A elaborat trei rapoarte ample privind asupra climatului respectării libertăţii de gândire, conştiinţă şi religie.

În mod direct sau prin membrii acesteia, *Asociaţia* a avut acţiuni dedicate protecţiei minorilor şi promovării interesului superior al copilului, între care amintim:

- A intervenit în cazul în care un copil a fost reţinut în mod ilegal şi a fost bătut, în timpul unei nopţi, în sediul Poliţiei Buzău, sub nedovedita acuzaţie că ar fi furat un telefon mobil; *Asociaţia* a consiliat, a sprijinit şi a susţinut demersurile penale ale părinţilor copilului în faţa Parchetului Buzău şi demersurile şi solicitările acestora adresate Spitalului Judeţean Buzău (unde copilul a fost internat ca urmare a loviturilor violente primite), Direcţiei Judeţene de Asistenţă Socială şi Protecţia Copilului, Instituţiei de Medicină Legală, Instituţiei Prefectului Buzău;

- A intervenit în cazul fetiței A. M., din localitatea X, județul Gorj, care în urma nașterii (la vârsta de 14 ani) a fost expusă propunerii abuzive (venită din partea preotului din localitate, profesor de Religie) de a fi excomunicată din sat și căreia i-a fost aplicată, de către școală, măsura disciplinară abuzivă de a i se scădea nota la purtare; *Asociația* s-a adresat Inspectoratului Școlar General al Inspectoratului Școlar Județean Gorj, iar inspectorul școlar general s-a deplasat la școala din localitatea X și a dispus revenirea mediei la purtare a fetiței la nivelul inițial (10); diriginta clasei a cerut scuze fetiței, în numele colegilor, în fața clasei;
- A intervenit în cazul fetiței de etnie roma, care urma să fie „căsătorită", la vârsta de 11 ani, cu un cetățean de aceeași etnie, în vârstă de 20 de ani; *Asociația* a anunțat Poliția, atât la telefonul de urgență (112) cât și în scris că în noaptea zilei respective urma să aibă loc ceremonia prilejuită de „căsătorie" care era mai mult decât probabil să se materializeze cu supunerea minorei la un viol; Poliția nu și-a îndeplinit obligațiile legale, iar fetița de 11 ani a fost obligată să aibă un raport sexual violent în noaptea „nunții"; Asociația a depus o plângere penală împotriva agenților statului vinovați;
- A inițiat un proiect de act administrativ (hotărâre a Consiliului Județean Buzău), prin care să se dispună ca locurile de joacă pentru copii să fie astfel amenajate încât să nu mai pună în pericol viața și/sau sănătatea copiilor - acestea erau confecționate din fier și aveau colțuri -, adesea postate pe suprafețe de ciment sau piatră; *Asociația* a reușit să strângă, în 2 săptămâni, 8000 de semnături, iar Primăria Buzău a schimbat câteva locuri de joacă mari din oraș, confecționându-le după standardele invocate de *Asociație*; în acțiunea *Asociației* au fost implicați peste 400 de copii care au convins adulții pentru eficiența proiectului și au strâns semnături;
- A elaborat o broșură legislativă, intitulată „Educarea toleranței în spiritul respectării drepturilor copilului", cu finanțarea Consiliului Județean și a Direcției Județene de Asistență Socială și Protecția Copilului, Buzău, care cuprinde acte normative internaționale și naționale cu referire la drepturile copilului, la combaterea discriminării în educație sau la combaterea violenței în familie; broșura a fost distribuită gratuit în 180 de școli sau grădinițe publice sau private din județul Buzău, acțiune în care au fost implicați peste 200 de copii;
- A intervenit în organizarea și finalizarea concursului pentru ocuparea postului de director general al Direcției de Asistență Socială și Protecția Copilului (D.G.A.S.P.C.), Buzău și după 2 ani și jumătate, timp în care a inițiat și câștigat nu mai puțin de 25 de procese în instanță (în toate fazele de fond, recurs, rejudecare și cereri de suspendare din funcție) care s-au finalizat cu anularea hotărârii Consiliului Județean Buzău de numire a directorului general al D.G.A.S.P.C. ce nu îndeplinea nici una din condițiile legale obligatorii privind studiile, vechimea și specializarea; instituția a fost obligată la plata unor daune morale în valoare de 170 000 000 lei ROL;
- A inițiat demersuri prin care a solicitat Ministerului Educației să anuleze grevele cadrelor didactice deoarece nu au respectat prevederile Legii 272/2004 privind protecția și promovarea drepturilor copilului;

- A iniţiat demersuri prin care a solicitat Ministerului Educaţiei să dispună aplic prevederilor legale în ce priveşte titularizarea catedrelor de Religie, cu consec asupra dreptului copiilor la libertatea de gândire, de conştiinţă şi de religie - deme aflat pe rolul Curţii de Apel Bucureşti;
- A iniţiat demersuri privitoare la prezenţa simbolurilor religioase pe pereţii sălilor de clasă ai şcolilor publice din România; Consiliul Naţional pentru Combaterea Discriminării a recunoscut, prin Hotărârea nr. 323/21.11.2006, poziţia SLC, confirmată recent şi de Curtea Europeană a Drepturilor Omului, prin Hotărârea Lautsi c. Italia;
- A organizat 12 recitaluri de muzică clasică, cu sprijinul Instituţiei Prefectului Buzău sau a Consiliului Judeţean Buzău, la sediul Consiliului Judeţean, al *Asociaţiei* sau al unor unităţi de învăţământ; prin organizarea recitalurilor *Asociaţia* a promovat mai mult 200 de copii care studiau arta la Liceu de Artă Buzău sau la Şcoala Populară de Artă;
- s-a confirmat, în anul 2004, caracterul discriminatoriu al prevederilor Legii privind statutul cadrelor didactice, situaţie care în 2009 a dus la modificarea prevederilor legale respective;
- s-a confirmat situaţia discriminatorie creată prin împiedicarea unor categorii de persoane, pe motive religioase, de a vota în cadrul referendumului din anul 2007 pentru demiterea Preşedintelui României;
- s-a confirmat situaţia discriminatorie creată prin afişarea simbolurilor religioase pe pereţii sălilor de clasă din şcolile publice din România, situaţie confirmată în data de 03.11.2009 de Curtea Europeană a Drepturilor Fiinţei Umane într-un caz similar contra Italiei;
- a sprijinit organizaţii neguvernamentale din Portugalia, în demersurile acestora la nivel legislativ pentru a combate discriminarea împotriva femeilor manifestată prin sancţionarea penală a practicării avortului;

În ceea ce priveşte speţa prezentă va aducem la cunoştinţă că asociaţia noastră a fost sesizată despre săvârşirea de către autorităţi a unor acte discreţionare şi abuzive împotriva membrilor şi simpatizanţilor MISA, în particular în cazul minorilor. Pentru verificarea acestor alegaţii am trecut la investigarea cazurilor care ne-au fost aduse la cunoştinţă. Am intervievat numeroase persoane implicate direct în evenimentele despre care am fost sesizaţi, am iniţiat dialoguri care au fost filmate, am analizat documentele relevante cu speţa în cauză, am făcut cercetări asupra problematicii ridicate. Toate acestea au constituit baza Raportului privitor la încălcarea drepturilor în cazurile cercetate, în principal, persoane simpatizante ale curentului yoga.

Ataşăm adresei noastre **RAPORTUL cu privire la încălcarea drepturilor minorelor care au practicat sau care au fost suspectate de a fi practicat yoga în cadrul Şcolii MISA.**

**Emil Moise**

**Preşedinte al Consiliului Director al Asociaţiei Solidaritatea pentru Libertatea de Conştiinţă**

# - R A P O R T -

## cu privire la încălcarea drepturilor minorelor care au practicat sau care au fost suspectate de a fi practicat yoga în cadrul Școlii MISA

**1. Solicitarea Mișcării pentru Integrarea Spirituală în Absolut (MISA) și metodologia investigației**

În anul 2004, Asociația Solidaritatea pentru Libertatea de Conștiință (SLC) *a hotărât investigarea alegațiilor privind supunerea unor adepte ale organizației Mișcarea pentru Integrarea Spirituală în Absolut (MISA), în momentul în care acestea erau încă minore, unor abuzuri.* Hotărârea a fost motivată de sesizările ajunse la asociație, dar ea poate fi considerată și o autosesizare datorită gravității evenimentelor ce se derulau în cazul MISA.

Dedicată combaterii discriminărilor pe bază de gândire, conștiință și religie, Asociația Solidaritatea pentru Libertatea de Conștiință a considerat nu doar că problematica ridicată de MISA intră în obiectivele sale statutare, dar constituie un caz de maxim interes și de ordin doctrinar. Asociația noastra s-a implicat în numeroase alte acțiuni în favoarea minorilor, în particular, deschizând procese în situațiile în care aceștia erau puși în pericol.[1]

În acest scop, SOLI a stabilit un program de cercetare care a avut ca obiective, succesiv: (a) stabilirea criteriului care distinge MISA din perspectiva articolului 9 al Convenției europene a drepturilor omului care garantează libertatea de gândire, conștiință și religie; (b) realizarea de interviuri cu persoanele care susțin că au fost investigate într-un mod abuziv de către procurori; (c) derularea unor investigații de teren (la ashramuri) (d) analiza informațiilor, coroborarea lor cu alte surse și punerea lor în contextul mai general al "problematicii MISA" pentru a verifica în ce măsură este vorba despre acțiuni cu caracter abuziv; (e) elaborarea unui raport cu concluziile investigației în chestiunea încălcării libertății de conștiință și a abuzului față de minore pe motiv de conștiință, pe care să îl pună la dispoziție instituțiilor și organizațiilor interne și internaționale preocupate de protecția libertății de gândire, conștiință și religie.

[1] Mai multe procese în instanță.

**2. Practica yoga sau adeziunea la Şcoala de yoga MISA ca manifestare a libertăţii de conştiinţă**

Au existat şi cercetări anterioare celei a SLC cu privire la natura activităţii MISA din perspectiva unei posibile discriminări în raport cu exerciţiul libertăţii de gândire, conştiinţă şi religie: Raportul expertului suedez Karl Erik Nylund[2] şi al Asociaţiei pentru Apărarea Drepturilor Omului în România – Comitetul Helsinki[3]. În această chestiune SLC face următoarele observaţii:

(a) Şcoala de yoga MISA este implicată încă de la apariţia sa într-o amplă gamă de activităţi, de la desfăşurarea de cursuri de yoga până la promovarea de teze cu semnificaţie socială şi acţiuni cu obiective practice – precum manifestaţiile în favoarea actului de justiţie. Numărul mare de site-uri, reviste, publicaţii asociate într-un fel sau altul cu MISA, fără un control central, exprimând deseori opinia **unor** membri ai MISA, declaraţiile adepţilor MISA în variate contexte fac dificilă definirea unei unice filosofii, unice doctrine, unice interpretări sociale care să stabilească limitativ identitatea membrilor şi simpatizanţilor MISA. Şcoala de yoga MISA este de altfel una dintre multele şcoli, cu aspecte specifice, care se reclamă de la disciplina yoga.

Asociaţia Solidaritatea pentru Libertatea de Conştiinţă nu a avut în vedere să se exprime în acest raport asupra opiniilor filosofice, sociale sau politice ale membrilor şi simpatizanţilor MISA şi consideră că acestea nu sunt relevante pentru scopul cercetării.

(b) În contextul acestei mari diversităţi între adepţii Şcolii de yoga MISA, se poate stabili totuşi o "identitate" specifică comunităţii de yoghini formaţi la cursurile MISA. Ea se bazează pe câteva convingeri şi reguli care se regăsesc în toate tipurile de manifestări de sub egida MISA: (i) refuzul de a consuma carnea animalelor; (ii) refuzul de a fuma şi de a bea alcool, mai general, evitarea surselor cu caracter toxic, fizic şi psihic; (iii) promovarea non-violenţei, în particular, refuzul de a răspunde la violenţă cu violenţă; (iv) folosirea mai mult sau mai puţin sistematică, în funcţie de practicant, a unor tehnici menite să asigure dezvoltarea armonioasă a practicantului; (v) opţiunea pentru un stil de viaţă care să conducă la menţinerea şi îmbunătăţirea stării de sănătate fizică şi la realizarea echilibrului interior de natură psihosomatică. Organizarea vieţii în raport cu aceste opţiuni se poate confirma la toţi adepţii MISA, atat la cursanţii activi care, urmărind aplicarea sistematică a tehnicilor, locuiesc în ashram, cat şi la persoanele a căror legătură cu Şcoala de yoga a MISA se reduce la urmarea sporadică a practicilor învăţate la cursuri.

(c) Regăsirea acestor atribute ce caracterizează viaţa membrilor şi simpatizanţilor Şcolii de yoga MISA a rezultat din zecile de interviuri luate cu aceştia; au fost confirmate de felul în care "se autodefinesc" adepţii MISA; au fost regăsite în felul în care aceştia sunt definiţi de alţii, chiar şi atunci când atitudinea este ostilă şi critică la cerinţele puse de disciplina yoga (acuzarea (!) adepţilor MISA că nu mănâncă carne şi nu fumează, că fac meditaţii, spirale etc.). În acelaşi timp, există o foarte mare diversitate de atitudini, căutări, concepţii, stiluri de organizare a vieţii între parcticanţii yoga la Şcoala MISA, **în afara aspectelor enumerate de la** (i) **la** (v). În ceea ce priveşte opţiunile de ordin prorpriu-zis religios, acestea sunt variate: între adepţii MISA există persoane de diferite confesiuni, inclusiv musulmani şi evrei, şi persoane care resping dogma religioasă.

(d) Toate aspectele de mai sus arată că membrii şi simpatizanţii Şcolii de yoga MISA formează o **comunitate de conştiinţă**, în sensul stabilit de jurisprudenţa Pactului cu privire la drepturile

[2] Raport al expertului suedez Karl Erik Nylund, *Nova Revista de Drepturile Omului* nr. 3/2005.
[3] Vezi site-ul asociaţiei: http://www.apador.org/.

civile şi politice şi a Convenţiei europene a drepturilor omului, care opţiunile de conştiinţă de opiniile de natură politică şi filosofică (de domeniul libertăţii de gândire) şi manifestările de credinţă şi religie (de domeniul libertăţii de credinţă şi religie).

(e) În acest sens, membrii şi simpatizanţii Şcolii de yoga MISA se bucură de libertatea de gândire, conştiinţă şi religie - garantate, printre altele, de art. 18 al Pactului internaţional cu privire la drepturile civile şi politice, de art. 9 al Convenţiei europene a drepturilor omului şi art. 29 al Constituţiei României. Respectarea convingerilor predominante ale membrilor şi simpatizanţilor MISA înseamnă respectarea libertăţii de conştiinţă.

(f) Specificul de conştiinţă al identităţii membrilor şi simpatizanţilor Şcolii de yoga MISA nu se distinge doar prin natura manifestărilor enumerate (refuzul cărnii, fumatului şi alcoolului, practica asanelor şi meditaţiei) ci şi prin **forţa aparte a acestor convingeri.** Adepţii yoga au urmat stilul de viaţă pentru care au optat chiar şi atunci când asupra lor s-a exercitat o impresionantă presiune pentru a renunţa, inclusiv când le-a fost periclitată siguranţa materială şi integritatea fizică – vezi rapoartele Asociaţiei pentru Apărarea Drepturilor Omului în România – Comitetul Helsinki şi Amnesty International în acest sens. [4] Mai mult, investigaţiile recente din arhiva fostei Securităţi au arătat că membrii MISA care înainte de anul 1989 au practicat yoga şi-au urmat convingerile în ciuda unei crunte represiuni exercitate de regimul comunist prin organele de securitate.[5]
Ca urmare, Asociaţia Solidaritatea pentru Libertatea de Conştiinţă consideră că eventualele discriminări ori încălcări agravate ale altor drepturi şi libertăţi care au avut ca ţintă adepţi ai MISA au avut şi dimensiunea **încălcării libertăţii de conştiinţă.**

**3. Caracterul abuziv al investigaţiei desfăşurate de procurori împotriva unor minori care au practicat sau care au fost suspectati de a fi practicat yoga în cadrul Şcolii MISA**

**3.1 Supunerea minorei Mădălina Dumitru unor tratamente inumane şi degradante**

Asociaţia Solidaritatea pentru Libertatea de Conştiinţă a luat în anul 2005 un interviu Mădălinei Dumitru şi avocatei sale Adina Solomon, a analizat imaginile prezentate de televiziuni, ca şi poziţiile exprimate în presă în "cazul minorei Mădălina Dumitru" [vezi ANEXA 1], a studiat dosarele de instanţă. Informaţia existentă permite o evaluare clară a derulării evenimentelor.
Coroborând cele declarate de M.D., cu alte surse de informaţii relevante, inclusiv dezbaterile de la Curtea Supremă din Suedia, SLC observă următoarele:

**Violenţele împotriva minorei**

a) Minora Mădălina Dumitru **a fost supusă unui tratament traumatizant** în ziua de 18 martie 2004, fiind trezită din somn, agresată fizic în şi din clipa în care a fost trântită pe jos, ameninţată cu arma încărcată cu muniţie, ţinută la pământ aşa cum dormea, aproape goală, supusă privirii îndelungate a bărbaţilor care intraseră în camera ei, filmată în aceste condiţii împotriva protestelor sale. Faptele sunt confirmate nu doar din declaraţiile fetei, ci şi din imaginile luate în locuinţa sa: concordanţa este completă.

b) **Tratamentul violent** la adresa minorei a continuat în ziua de 1 aprilie 2008. Conform declaraţiei Mădălinei Dumitru si a Procesului-Verbal al Parchetului de pe lângă Curtea de Apel Bucureşti din aceeaşi dată, a fost dusă împotriva voinţei ei la IML, unde i s-a cerut să facă un control

[4] În special, raportul amplu din anul 2004 (vezi www.apador.ro).
[5] Vezi cartea: Gabriel Andreescu, *Reprimarea mişcării yoga în anii '80*, Polirom, Iaşi, 2008.

ginecologic şi anal. Întrucât se opunea controlului, a fost supusă la presiuni, inclusiv fizice: *" Un poliţist efectiv mă ciupea, mă învineţise... "*. Adina Solomon, avocata minorei a fost împiedicată să ia legătura cu clienta.

Presiunea fizică şi psihologică la intrarea şi la ieşirea minorei de la INML este confirmată de imaginile luate de televizuni. Reprezentantul APADOR-CH, care a fost la 1 aprilie 2004 în faţa INML să monitorezeze evenimentele a urmărit de aproape desfăşurarea lor şi a confirmat violenţele împotriva minorei Mădălina Dumitru, ca şi împiedicarea avocatei să-şi asiste clienta.[6]

**Înjosirea publică a minorei**

c) Minora M.D. a asistat neputincioasă la un adevărat **linşaj public a demnităţii ei**. Imaginile luate sub protecţia şi la evidenta incitare a autorităţilor au prezentat-o într-o postura umilitoare: aproape goală, speriată, ţinută aşa sub ameninţarea armelor. Ele au fost reluate repetat pe posturile de televiziune la sute de mii de oameni. Aceste imagini proveneau de la autorităţi care aduseseră cu ei cameramani şi au fost puse la dispoziţia presei în scopul evident de a o prezenta telespectatorilor în această postură;

**d)** Supunerea minorei **la oprobiul public** a continuat prin transmiterea către presă, de către autorităţile statului, a *Jurnalului* său intim pe care-l confiscaseră. Acesta a fost reprodus în presa scrisă şi citat la televiziuni; de asemenea, fotografii personale si informaţii privind situaţia şcolară.

**Exercitarea unor presiuni psihice împotriva Mădălinei Dumitru de către: e) procurori; f) "părţi vătămate"; g) "experţi"**

**e)** Mădălina Dumitru a fost supusă unei presiuni constante pentru a îşi însuşi cererea procurorilor, de a declara că a avut relaţii sexuale cu Gregorian Bivolaru. Declaraţiile sale în acest sens sunt confirmate de faptul că a revenit în mai puţin de 24 de ore asupra primei declaraţii, lucru greu de înţeles dacă minora ar fi dat această declaraţie în mod liber.

**f)** Presiunea asupra sa s-a exercitat şi indirect, prin declaraţiile altor persoane cu referire la ea, susţinându-se despre ea lucruri contrare celor asumate de către victimă. Astfel, Arabella Agnes Mureşan susţine existenţa unei relaţii amoroase a Mădălinei Dumitru cu Gregorian Bivolaru, ca şi traficarea ei prin "karma yoga", în calitate de parte vătămată. Într-o altă reclamaţie depusă de Ilinca Simionescu, aceasta, ca parte vătămată, se referă la presupuse relaţiile sexuale dintre Bivolaru şi Mădălina Dumitru. Sora minorei, Iordache Florentina, a susţinut de asemenea cunoaşterea relaţiilor sexuale dintre minoră şi G.B.

În legătură cu aceste susţineri, SLC face următoarele **observaţii:**

- plângerile au fost depuse la peste un an de la ruperea oricăror legături dintre petente şi comunitatea MISA, într-un moment când Parchetul depunea eforturi considerabile de a "descoperi" minori abuzaţi;
- există o corelaţie vizibilă între situaţia socială precară a părţilor vătămate şi interesul pentru daunele enorme de 5 miliarde de lei;
- există mărturia persoanelor care s-au constituit ca părţi civile, dar absolut nicio probă cu privire la o situaţie foarte greu de confirmat peste ani, a unor relaţii sexuale între două persoane care se află în intimitate;
- "mărturiile" invocă probe indirecte, iar "confirmările" aparţin unor persoane care au interes comun cu acuzatoarele;
- alte mărturii prezente la dosar contrazic declaraţiile părţilor vătămate: martorul Murariu Robert (*declaraţia din şedinţa din 13.11.2009*), scrisorile Arabellei Agness Mureşan.

Împreună cu datele referitoare la ocupaţiile surorilor Mureşan şi ale mamei lor, acestea fac foarte puţin credibile susţinerile petentelor;

- caracterul mincinos al declaraţiilor făcute cu privire la relaţia Mădălinei Dumitru cu Gregorian Bivolaru a fost recunoscut de sora minorei, Iordache Florentina, în Şedinţa nepublică din 31 mai 2006: *"Declaraţia pe care am făcut-o la urmărirea penală privind faptul că Mădălina ar fi fost dezvirginată de înc. Bivolaru este o simplă bănuială a mea. Eu am auzit foarte multe lucruri de la mama, care mereu îşi schimba poziţiile, dintr-o parte în alta."*. Declaraţia mincinoasă era parte a susţinerilor care fuseseră asumate de martoră în urma campaniei televiziunilor care nu ar fi fost posibilă fără implicarea Parchetului: *"Afirmaţia privind modalităţile asociaţiei MISA de a obţine venituri le-am făcut deoarece aşa am văzut la tv şi mi s-au arătat dovezi la Parchet în acest sens."*

g) Psihologul criminalist Tudorel Butoi a pus la dispoziţia Parchetului o "expertiză", făcută publică de ziarul *Gardianul*[1], în care o descrie pe Mădălina Dumitru în aceşti termeni: trece printr-o derivă existenţială; are un discernământ diminuat devenind victima alternativei „fuga de acasă"; este labilă emoţional suferă de aservire sexuală, depersonalizare, refuzul competiţiei reale, *iniţiativei* constructive şi asimilării valorilor pozitive în morală, caracter şi conştiinţă juridică; se află într-o stare de contemplaţie inactivă, dezinserţie socială, are anihilate iniţiativele personale şi este polarizată prioritar pe actul sexual; a atins anularea totală a personalităţii şi orbirea morală. Psihologul Tudorel Butoi foloseşte şi exclamaţii de genul: „Iată aşadar progresele minorei Mădălina Dumitru de la <inofensivele discuţii asupra mărimii sânilor> la <am făcut pipi la el în gură....>" şi „Iată de ce nu surprinde pe nimeni opţiunea la 16 ani a adolescentei Mădălina Dumitru..."

**În concluzie**, "expertiza" psihologului revine la acuzaţii, declaraţii, epitete, etichete şi stigmate, "obţinute" pe baza unui presupus *Jurnal* al minorei şi în lipsa unui interviu clinic direct. Limbajul ostil, insultător la adresa Mădălinei Dumitru încalcă grav demnitatea minorei şi Codul Deontologic al profesiei, exercitând, odată devenit public, o presiune traumatică asupra psihicului minorei.

**Efectele în timp ale măsurilor luate de autorităţi şi folosirea ei de către mass-media**

Toate acestea au afectat profund viaţa minorei Mădălina Dumitru. A pierdut şcoala, o perioadă s-a retras rupând legătura cu grupul de prieteni, a suferit traume care par de neşters. Caracterul îndelungat al presiunii asupra sa, intensitatea acesteia, corelarea bruscărilor fizice, ameninţărilor, expunerii la batjocura publică, hărţuirea de către familie cu sprijinul autorităţilor arată că ne aflăm în faţa unor **tratamente degradante, dar şi inumane**. Faptul că toate aceste acţiuni în care au fost implicate direct şi indirect autorităţile au fost duse sub titulatura de « grija pentru protecţia minorei » adaugă evenimentelor o notă cinică.

**Concluzie: existenţa unor tratamente inumane şi degradante**

Asociaţia Solidaritatea pentru Libertatea de Conştiinţă consideră că Mădălina Dumitru a fost supusă, în perioada în care era minoră, unor acţiuni care intră în categoria tratamentelor inumane şi degradante, interzise, printre altele, de articolul 3 al Convenţiei europene a drepturilor omului, în cooperare, agenţi ai Parchetului, Jandarmeriei, Serviciului Român de Informaţii.

Autorităţile se fac vinovate atât de participarea directă la supunerea ei la tratamente inumane şi degradante, cât şi de neluarea măsurilor ce incumbă obligaţiei pozitive a statului de a o proteja pentru a nu fi supusă unor astfel de tratamente.

În stabilirea acestei concluzii, au fost avute în vedere:

a) perioada îndelungata a presiunilor, intimidărilor, ameninţărilor, violenţelor;

[1] "Minorele lui Grieg,sclave", *Gardianul*, 28 ianuarie 2005.

b) este de notat importanţa stărilor de incertitudine, profundă neliniște și temere suferite de către victimă, pentru a vorbi despre încălcarea art. 3 al CEDO ( *vezi cauza Kurt c. Turcia*);
c) în stabilirea tratamentului inuman intră și starea de inferioritate care se crează victimei ( *vezi Labita c. Italia*);
d) vârsta victimei, condiţia ei de minoră amplifică radical impactul fizic si psihic al tratamentelor la care a fost supusă;
e) întrucât în cazul minorei Mădălina Dumitru ne aflăm în faţa unor tratamente inumane, în care comportamentul batjocoritor al mass-media, ca și al agenţilor publici, reprezintă o componentă importantă, tratamentul la care a fost supusă minora este profund degradant;

În această analiză nu presupunem că agenţii publici implicaţi în generarea amintitelor tratamente inumane și degradante ar fi dorit să producă o suferinţă fizică și psihică de asemenea proporţii. Acest fapt nu schimbă natura actelor acestora, căci, cum a arătat CEDO în cauza *Mahmut Kaya c. Turcia*, în prim plan se află nivelul suferinţelor îndurate, nu latura subiectivă a infracţiunii.

În cazul Mădălinei Dumitru, procurorii, și alţi agenţi publici sunt responsabili pentru tratamentele inumane și degradante **în dublu sens:** al obligaţiei cu caracter negativ, de "abţinere a agenţilor publici de la aplicarea unor tratamente inumane și degradante" (*cauza Papon c. Franţa*), cât și a celei pozitive: "de a lua măsurile necesare pentru a împiedica supunerea persoanelor la tratamente inumane și degradante" (*cauza A. c. Marea Britanie*).

### 3.2 Extinderea cercetărilor asupra altor minore: practici abuzive

**După evenimentele de la 18 martie 2004 și 1 aprilie 2004, numeroase familii au primit invitaţii de la Parchet pentru a fi audiate în legătură cu participarea copiilor la cursurile Școlii MISA.**

Cercetările Asociaţiei SLC arată că, în unele cazuri, procurorii au încercat să impună o discuţie directă cu fetele, în absenţa părinţilor și a unui avocat. Dar majoritatea părinţilor și copiilor au refuzat să dea interviuri arătând temerea lor de a fi asociate public și, în particular, în faţa autorităţilor, de Școala de yoga MISA. Campaniile din presă care diabolizau pe yoghini, ostilitatea din mediul în care trăiau după aflarea faptului că urmau practica yoga, violenţele la care fuseseră supuși colegi de-ai lor, hărţuirea pe care o resimţiseră în contactul cu reprezentanţii autorităţilor, le-au produs o stare de angoasă și nevoia izolării.

Natura și atmosfera acestor investigaţii au putut fi totuși sintetizate prin două excepţii faţă de acest pattern al temerilor: declaraţiile **minorei Orjanu Andreea-Cristina** (OAC) și a părinţilor ei, respectiv, **Miclăuș Mihaela Nicoleta** (MMN) și sora ei, Miclăuș Cristina *(ANEXA 2 și ANEXA 3)*.

**Atitudinea autoritară și ameninţătoare:**

În legătură cu felul în care s-a derulat citarea, Orjanu Andreea-Cristina și tatăl ei au declarat următoarele:

**„OAC:** *Și dânsul [procurorul] a zis pe un ton foarte agresiv - nu fizic, agresiv ca ton - că recomandat ar fi să mergem că altfel n-o să ne fie... n-o să-mi fie nici mie bine, și nici părinţilor mei. Când am auzit asta, mi s-a tăiat un pic respiraţia că era foarte... autoritar.*
**Orjanu Ilie (OI: tatăl ei):** *"În seara în care am sosit acasă am găsit fetiţa foarte speriată și după ce am văzut respectiva citaţie am realizat de unde venea hârtiuţa, de la procuratura României."*

**MMN:** *Domnul procuror vorbea foarte intimidant, ca și cum aș fi fost acuzată de ceva, deși nu mi-a dat o explicaţie de ce eram acolo.*
Miclăuș Mihaela Nicoleta a mai arătat:

*« Am fost chemată la Parchet. Mi s-a telefonat să vin urgent că dacă nu mă prezint vin să mă ridice de acasă. » .... "Am primit citație, cu amenințări ... dacă nu mă prezint primesc amendă sau mai grav. Am fost sunată în mod special de două ori și mi s-a zis să mă prezint. Am întrebat de ce și mi s-a zis să fiu acolo ... nu mi s-a zis nici un motiv. Prima dată am refuzat, am zis că nu, cum o să mă duc dacă nu știu de ce sunt chemată. Am mai primit citații, încă una, și am zis să vin să văd despre ce este vorba."*

**Insistența de a cere recunoașterea existenței unor eventuale relații sexuale cu Gregorian Bivolaru:**

**OI:** *Pentru mine surprinzătoare a fost atitudinea procurorului în care tot insista să ne convingă pe noi că într-adevăr fata îl cunoaște sau a avut raporturi sexuale cu Gregorian Bivolaru. Asta cred uimitor, atitudinea de a-ți impune părerea lui.*
Avocat: În momentul în care procurorul formula aceste întrebări, urmărea să vă determine să faceți plângere sau să dați anumite declarații?
**OI:** *Da, deci în momentul interviului, procurorul urmărea să ne convingă să dăm o declarație din care să reiasă că fiica mea a avut raporturi sexuale cu Gregorian Bivolaru*
Aceeași atitudine a întâmpinat Miclăuș Mihaela Nicoleta:
*„În timpul declarației, domnul procuror a încercat să scrie altceva decât declaram, cum că îl cunosc pe domnul Bivolaru și că sunt cursantă, că am întreținut relații cu dânsul, deși nu-l cunosc în afară de televizor și media. Noroc cu domnul avocat care a sărit în apărarea mea pentru a nu continua domnul procuror declarația scrisă. În prezența domnului avocat și a sorei mele, domnul procuror totuși insista să scrie altceva decât declaram eu."*

Susținerea este confirmată de sora lui MMN, Miclăuș Cristina ( MC), prezentă la audiere:

**M.C.:** *„Da, am simțit că vor să o facă să se simtă vinovată, deși nu era, și că vor să o facă să declare ceva care nu era adevărat, cum că l-ar cunoaște pe domnul Bivolaru și ar fi întreținut relații sexuale cu el, deși ea n-avea nici o treabă cu domnul Bivolaru și nici cu cursul de yoga."*

Aceste interviuri sunt concordante cu mărturiile obținute de Parchetul de pe Lângă Curtea de Apel București care a pornit investigații asupra posibilelor relații sexuale ale lui Gregorian Bivolaru cu alte minore. Conform a ceea ce sugerează declarațiile persoanelor aduse la Parchet, minorele în cauză au fost selectate pe baza unor fotografii ale lor, aflate în costum de baie în casele sau ashramurile unor adepți MISA. Unora dintre minorele în cauză li s-a comunicat motivul pentru care li se cere să dea declarații, ceea ce apare în documentul scris:
*„Subsemnata L.I. am luat la cunoștință că urmează să fiu ascultată pentru dovedirea următoarelor fapte sau împrejurări: activitatea infracțională desfășurată de inculpatul Bivolaru Gregorian, constând în infracțiunea de întreținere de raport sexual cu o minoră și perversiuni sexuale."*
Întrebările puse sistematic de către procurori rezultă din răspunsurile fetelor: *„Nu am întreținut relații sexuale cu acesta și nu am cunoștință ca acesta să fi avut relații sexuale cu alte persoane (L.I.)."*
Sau, mai pe elaborat: *"Nu îl cunosc pe Bivolaru Gregorian și nu am cunoștință ca acesta să fi întreținut raporturi sexuale cu minori sau perversiuni sexuale. ... După ce mi s-a explicat de către organul de urmărire penală care este înțelesul noțiunii de perversiune sexuală, adică raporturi sexuale nefirești, anale sau orale, declar că nu am cunoștință ca inc.Bivolaru Gregorian să fi întreținut asemenea relații cu minori. C.I.)"*
Alte întrebări se referă la participarea la Taberele Școlii MISA, dacă au plătit taxe pentru cursurile urmate, la măsură în care cunosc semnificația termenului „ashram" ș.a.

Aceste elemente se regăsesc întocmai în declarațiile următoarelor: Lazăr Ioana, Atanasie Camelia-Roxana, Cîmpean Ioana, Cîntea Codruța, Miclăuș Mihaela, Orjanu Andreea-Cristina, Teodorescu Aurora-Steliana, Matei Florentina Adnana.

**Concluzie: caracterul abuziv al unor practici**

În opinia Asociației noastre, atât declarațiile scrise date de către minorele cercetate, cât și interviurile obținute de Asociație concură la concluzia că Parchetul a acționat într-un mod abuziv:

a) Minorele care au fost cercetate în cauza care privește presupusele relații sexuale dintre Gregorian Bivolaru și Mădălina Dumitru, respectiv, cu părțile care s-au declarat vătămate, aveau prea puțin legături – sau deloc – cu părțile din proces. În schimb, instanța a refuzat să audieze tocmai grupul de persoane care se afla în imediata apropiere a părților ce s-au declarat vătămate. ( vezi *Încheierea de ședința din 13.11. 2009);*
b) Întrebările procurorilor s-au referit, de altfel, la viața personală a martorelor și ale altor persoane, chestiuni nerelevante pentru cauza în care fuseseră chemate drept martore;
c) Interviurile concură în a arăta că intervenția procurorilor, din momentul chemării la audieri și în timpul audierilor a fost autoritară și amenințătoare;
d) Insistența cu care s-au pus întrebări privitor la eventuale activități sexuale ale minorelor, sau a unor practici „perverse" ale acestora depășește raporturile firești dintre procurori și niște martore minore.

**4. Încălcarea de către statul român a dreptului la conștiință a minorelor**

**Importanța protecției minorilor și responsabilitățile Ministerului Public**

Tratamentul la care au fost supuse minorele despre care s-a vorbit anterior demonstrează existența unei serioase carențe profesionale în cadrul nivelul Ministerului Public. Or, protecția minorilor este una dintre cele mai nobile responsabilități ale unui stat. Interesul superior al copilului înseamnă, printre altele, că acestuia trebuie să i se asigure condițiile pentru o dezvoltare completă a potențialului său într-o atmosferă de libertate, demnitate și justiție: *„În toate acțiunile care privesc copiii, întreprinse de instituțiile de asistență socială publice sau private, de instanțele judecătorești, autoritățile administrative sau de organele legislative, interesele copilului vor prevala."*[8]

Asociația Solidaritatea pentru Libertatea de Conștiință consideră că situațiile în care au fost aduse minorele Mădălina Dumitru, Lazăr Ioana, Atanasie Camelia-Roxana, Cîmpean Ioana, Cîntea Codruța, Miclăuș Mihaela, Orjanu Andreea-Cristina, Teodorescu Aurora-Steliana, Matei Florentina Adnana arată că în loc să fie o instituție de apărare a minorilor, DIICOT s-a transformat într-una de abuzare a lor. Experiența Asociației subliniază că acest comportament este reversul absenței interesului arătat pentru problemele reale ale acestui grup vulnerabil.
Conform investigațiilor noastre, consumul drogurilor în rândul minorilor a atins cifre înalte, deși în 1990 cifra era practic nulă. Abuzarea sexuală a fetițelor de 11-12-13 ani din comunitățile tradiționale de romi[9] promise de părinții lor „drept soții" unor tineri deseori majori are proporții de masă, dar

[8] Articolul 3, Convenția cu privire la drepturile copilului, adoptată de Adunarea Generală a Organizației Națiunilor Unite la 20 noiembrie 1989.
[9] Faptul că fetițele și tinerii în cauză aparțin unor comunități tradiționale de romi nu are nicio semnificație pentru gravitatea situației și pentru responsabilitatea de a aplica legea.

Parchetul s-a implicat prea puțin pentru oprirea acestor practici.[10] Chiar atunci când au fost atenționate despre iminența căsătoririi unui tânăr major și o fetiță, instituțiile abilitate nu au luat măsuri. În 2007, președintele Asociației Solidaritatea pentru Libertatea de Conștiință, a anunțat Poliția din Buzău despre începerea unui ceremonial de nuntă între un tânăr de 19 ani și o fetiță de 11 ani cerând o acțiune urgentă preventivă. Poliția nu a făcut nimic până când actul sexual a fost consumat, iar procuratura nu a găsit că agentul public ce fusese anunțat și nu a acționat să evite violul să fi fost responsabil. Asociația noastră atrage atenția că fenomenele de abuz și prostituție între adolescente nu ar fi putut să ajungă la proporțiile actuale dacă autoritățile ar fi dat atenția cuvenită asistării minorilor.[11]

## Campania împotriva practicilor yoga ca încălcare a dreptului la conștiință a minorelor

Rechizitoriul DIICOT și declarațiile unor reprezentanți ai instituțiilor de ordine, preluate de presă, s-au transformat într-o campanie împotriva practicilor yoga. Campania a subliniat deseori pericolul adoptării de către tineri a unor astfel de practici. Acțiunea afectează capacitatea tinerilor, actuali minori, de a alege liber să urmeze sau să nu urmeze disciplina yoga, afectându-le libertatea de conștiință. Minorele care au fost intervievate expun expresiv tensiunea suportată.
Dăm un singur exemplu din seria altora posibile în care recunoaștem trauma unor adolescenți în formare în măsura să le afecteze întreaga viață:

**OA:** *"Da. Pe mine m-a speriat foarte tare și felul în care s-au purtat, și felul în care au vorbit..., vă dați seama, viziunea unui copil la vârsta aceea e că toată lumea-i bună, totu-i frumos... Și eu mă trezesc dintr-odată că oamenii vorbesc urât cu dvs, vor să vă convingă de ceva ce n-ați făcut. Și în planul social, colegii au aflat și prietenii de la bloc, vă dați seama cum au început să se poarte fiind la curent cu știrile și cu tot ce s-a întâmplat. Mă priveau ca pe ultimul om. Prietenei mele celei mai bune i-au zis: cum de-i ea prietena mea, cum de-i singura care a mai rămas lângă mine, nu vede ce fac eu, ce fac părinții, ... în ce hal am ajuns."*

[10] O dezbatere publică și promisiuni instituționale au avut loc pe vremea mandatului primului ministru (atunci) Adrian Năstase, în urma intervenției Baronesei Emma Nicholson, care investiga situația copiilor din România în numele Uniunii Europene. Tema a dispărut rapid din preocuparea autorităților.

[11] „Exploatarea sexuală și notorietatea prostituției în rândul minorilor, în special al fetelor, a atins în România cote îngrijorătoare, potrivit unui studiu realizat de "Salvați copiii" (...) 86% din cele 505 eleve bucureștene chestionate au declarat că au auzit despre minore care se prostituează, 9% dintre elevele de 13-17 ani au declarat că au fost abordate pe stradă, ca să întrețină relații sexuale pentru bani. 8% au spus că au văzut adulți făcând sex în afara filmelor, iar 7% au susținut că li s-a cerut să se dezbrace în fața cuiva. 5% dintre tinere au declarat că li s-au oferit bani pentru favoruri sexuale, 3% au fost supuse unor acțiuni indecente chiar de către părinți, 2% au fost victime ale tentativelor de viol. 2% dintre fetele chestionate au declarat că li s-au oferit bani pentru a poza goale și 2% au recunoscut ca au fost violate. Modalitățile prin care minorele ajung să întrețină relații sexuale pentru bani sunt din ce în ce mai multe. Unele sunt răpite în plină stradă, sechestrate și obligate să se prostitueze, forțate de părinți să practice sexul comercial sau pur și simplu vândute pe bani grei. Altele sunt fugite de acasă, pentru a scăpa de abuzurile familiei și ajunse în mâinile proxeneților." ("Prostituția, un fapt comun pentru adolescente", miercuri, 13 Februarie 2008 - http://www.ziare.com/articole/relatii+sexuale+minora-s771-pag3)

## CONCLUZII FINALE:

Investigaţiile Asociaţiei SLC au demonstrat existenţa unor grave încălcări ale drepturilor şi libetăţilor fundamentale şi a drepturilor cetăţeneşti, ale unor minore care au practicat sau au fost bănuite de a practica yoga în cadrul Şcolii de yoga MISA. Acestea includ:

- **tratamente inumane şi degradante (cazul minorei Mădălina Dumitru) – încălcarea art. 3 a CEDO,**
- **lipsirea de libertate ( cazul Mădălina Dumitru) – încălcarea art. 5 al CEDO,**
- **încălcarea sigurantei persoanei – art. 5 CEDO,**
- **încălcarea dreptului la viaţă privată şi de familie – art.8 CEDO,**
- **încălcarea dreptului la libertatea de gândire, conştiintă şi religie – art. 9 CEDO,**
- **încălcarea libertăţii de asociere art 11 CEDO,**
- **discriminarea pe baza apartenenţei la o comunitate de conştiinţă prin încălcarea art. 14 şi Protocolul 12 al CEDO,**

Subliniem că toate aceste încălcări de drepturi şi discriminări au fost rezultatul acţiunii unor agenţi publici ca şi a unor persoane private ( ziarişti, cetăţeni incitaţi de campania împotriva şcolii de yoga MISA).

**RAPORTUL cu privire la încălcarea drepturilor minorelor care au practicat sau care au fost suspectate de a fi practicat yoga în cadrul Şcolii MISA este adresat de**

**Emil Moise**
**Preşedinte al Consiliului Director al Asociaţiei Solidaritatea pentru Libertatea de Conştiinţă**

**THE STATE IN ITS TOTALITY AT THE SAME TIME IS ALSO EVERY YOGI OF THE SPIRITUAL SCHOOL M.I.S.A.**

# ANNEX IV

# MEDICAL TESTS AND FORENSIC REPORTS

# C.M.I. HRIBAN CAMELIA ELENA

Romania, Bacau, Jud. Bacau, Str. BANCA NATIONALA, Nr..17, TELEFON :0040-721231994

CABINET MEDICAL INDIVIDUAL Dr. HRIBAN CAMELIA ELENA BACĂU - ROMÂNIA

Nr. Inregistrare: 612/ 01.03.2012

## PREZENTARE DE CAZ:

Pacienta: **Dumitru Madalina**

Data nasterii:13.09.1986, CNP 2860913134127

Data consultului psihiatric : 01.03. 2012

**Diagnostic**: *Episod depresiv sever fara simptome psihotice cu manifestari anxios fobice persistente* (diagnostic conform ICD10= Clasificarea tulburarilor mentale si de comportament)

**Argumentare diagnostica:**

Diagnosticul de *Episod depresiv sever fara simptome psihotice* se bazeaza pe urmatoarele manifestari clinice ale pacientei:

- dispozitie depresiva
- pierderea interesului si a bucuriei
- fatigabilitate crescuta
- izolare, retragere
- reducerea stimei de sine
- viziune trista si pesimista asupra viitorului
- insomnii
- ideatie de devalorizare, inutilitate, culpabilizare

- Durata acestui episod depresiv (de exacerbare a dispozitiei hipertimice negative preexistente) este mai mare de 6 luni.
- Nu prezinta fenomene psihoproductive (delir, halucinatii).
- Constiinta propriei persoane pastrata.
- Constiinta asupra tulburarii prezenta, cu precizarea ca pacienta are o atitudine de indiferenta fata de boala, cat si un deficit marcat de vointa si de initiativa.
- Se remarca retragerea pacientei in spatiul "protejat"- domiciliu, cu dificultatea de a iesi din casa, ( datorita fobiilor instalate, cat si a anxietatii generate de o posibila intalnire cu persoanele, situatiile care reprezinta o "amenintare" pentru pacienta si care reactualizeaza psihotrauma).
- Psihotrauma este reprezentata de anchete, modalitatea de ancheta, procese, prezentari in instanta, actiuni de cercetare.

Manifestarile anxios fobice:

Anxietatea ( frica nespecifica, alerta, neliniste persistenta, insotita de fenomene neuro-vegetative, stare de "premonitie" negativa) este evocata predominant de situatiile fobice: anchete, prezentari in instanta, intalnirea cu autoritatile.

Aceste situatii fobice sunt indurate cu groaza de catre pacienta.

Manifestarile fobice sunt determinate de amintirile, reprezentarile obsesive traumatizante ale evenimentelor trecute, declansatoare ale tulburarii ( psihotraumele descrise mai sus).

Persoanele care declanseaza reactiile anxios fobice sant reprezentate de anchetatori, procurori, judecatori, reprezentanti ai Politiei, Jandarmeriei, sau orice alte persoane care, dupa cum relateaza pacienta, *"poarta uniforma"*.

Intalnirea cu aceste persoane determina instalarea brusca a atacului de panica, a fenomenelor de derealizare, depersonalizare, a manifestarilor neuro-vegetative.

Contemplarea perspectivei de a intra intr-o situatie fobica ( in aceast caz: prezentarea in instanta, proces, investigatie) genereaza anxietate anticipatorie.

Dr. CAMELIA-ELENA HRIBAN
Medic primar psihiatru
Cod: 246838

CABINET MEDICAL INDIVIDUAL Dr. HRIBAN CAMELIA ELENA BACĂU - ROMÂNIA

**Dr. Camelia-Elena Hriban**
**medic primar psihiatru**

Dr. CAMELIA-ELENA HRIBAN
Medic primar psihiatru
Cod: 246838

# Curriculum vitae

**Informaţii personale**

Nume / Prenume

## Hriban I. Camelia Elena

Data/ Locul Naşterii

**16.12.1967, Galaţi**

Funcţie

**Medic primar psihiatru**

Loc de muncă

**Spitalul Judetean de Urgenta - Bacău**
**Cabinete Medicale Individuale:**
**" Hriban Camelia Elena" - Bacău**

Experienţa profesională

- 1995 - medic stagiar Spitalul judetean Bacău, în aceasta perioada acordă consultanta medico-psihologica în cadrul Liceului Pedagogic Bacău
- 1996 - 1997 - medic generalist la DMC Răcăciuni, Bacău
- 1997 - 2002 - medic rezident psihiatru, post ocupat prin concurs naţional de intra rezidenţiat
- 1998 - 2002 - preparator universitar UMF Iaşi, în cadrul Catedrei de psihiatrie, ocupat prin concurs
- 1999 - doctorand în medicina
- 2002 - medic specialist psihiatru, post ocupat prin concurs
- 2002 – prezent : medic psihiatru SJU Bacău
- din 2008 - medic primar psihiatru, prin examen naţional, în cadrul UMF din Cluj
- din 1999 membru al Asociaţiei Psihiatrilor Romani
- din 2005 - membru coordonator al Comisiei Judeţene Bacău de evaluare si tratame al pacienţilor cu dementa
- în 2007 coordonator al Comisiei Judeţene Bacău de înfiinţare a Centrelor de Sănăt Mintala
- din 2009 - membru al Comisiei Medico-legale psihiatrice, Bacău
- 2010 - absolventa a Scolii Naţionale de management si perfecţionare în domeniul sanitar

Educaţie şi formare

**1994 - Universitatea de medicina si farmacie "*Gr.T.Popa*"** Iasi, **Facultatea de medicina**, profil medicina generala.
**Lucrarea de licenta:** "*Manifestarile depresiei si ris autolitic in adolescenta*"

**1968 - Liceul "*George Bacovia*"**, profil matematica-fizica,

**Lucrări publicate (selecție)**

"Tulburari ale conduitelor alimentare: Bulimia nervoasa", edit Quadrat, Botosani, 19
"Comportamentul suicidar in tulburarile depresive ale adolescentilor", edit Quadrat Botosani, 1997
"Ipoteze biochimice privind modul de actiune al medicatiei antidepresive- AMPc dependent", vol Psihofarmcologie clinica, edi Psihomnia, Iasi, 1998
"Criterii diagnostice in schizofrenie", edit Medicala Universitara, Craiova, 2001, vol sub redactia T Udristoiu
"Criterii diagnostică in tulburarile depresive", Vol Taxinomie psihiatrica si psihofarmacologie specifica, edit "Andrei Saguna", Constanta, 1998
"Criterii diagnostice si terapeutice ale dependentei la benzodizepine", edit "Glissand Iasi, 2001
Epilepsia -revista "Farmacia Naturii", nr 5-6, 2005
Fobia-revista "Farmcia Naturii", nr 7-8, 2005
"Studiul tulburarii depresive recurente in functie de tipul episodului depresiv", vol "Calittea vietii in psihiatrie", Bacau,2006
"Rolul alcoolo-dependentei in recurenta tulburarilor depresive", vol "Calitatea vietii in psihiatrie",edit Vicovia, Bacau, 2006
" Studiul tulburarilor depresive in functie de raspunsul chimioterapic, vol "Calitatea vi in psihiatrie", edit Vicovia, Bacau, 2006
"Migrarea in spatiul economic european si dezvoltarea tulburarilor psihice", vol Coordonate terapeutice in psihiatrie, edit Medicala, 2011

**Alte informații**

- din 1999 particip la numeroase studii clinice de cercetare in domeniul psihofarmacologiei
- din 1999 am participat la numeroase congrese naționale si internaționale
- din 2005 si in prezent susțin periodic prezentări științifice medicilor psihiatri, psihologilor, medicilor de familie, medicilor neurologi, cu rol de informare si coordon clinico-terapeutica
- In 2010, 2011, 2012, am avut numeroase apariții televizate (televiziunea locala), cu specific medico-psihiatric

Congrese și conferințe internationale :

Hamburg,1999, Paris 2004, 2007, Florenta 2004, Rio de Janerio, 2005, Cairo, 2005, Hong Kong 2008, Bangalore India 2009, Istanbul 2009, Geneva 2010, Lisabona 200 2011

# CABINET INDIVIDUAL DE PSIHOLOGIE
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BACAU-BANCA NATIONALA, NR.17, TELEFON 0742047735
e-mail: remuscrangu@yahoo.com


CABINET INDIVIDUAL DE PSIHOLOGIE CRÂNGU REMUS CONSTANTIN BACĂU - ROMÂNIA

PREZENTARE DE CAZ:

PACIENTA-**DUMITRU MADALINA**
DATA NASTERII-13.09.1986, domiciliu: Bucuresti, Str. Trompetului nr.14, sector 5
CNP: 2860913134127
DATA CONSULTULUI -01.03.2012, Nr. Inregistrare 106

In urma interviului s-a constatat ca pacienta a trecut in urma cu cativa ani (martie 2004) printr-o situatie traumatizanta atat fizic, cat si emotional:

Din punct de vedere **comportamental si expresiv** se constata ca :
- solicita continuu si insistent ajutor, prezenta sotului (il tine de mana)
- este tensionata, faciesul exprima frica, spaima , teroare, in raport cu evenimentele traite traumatic
- postura incordata cu reactie de tresarire la zgomot

Din punct de vedere **subiectiv** ea traieste :
- sentimentul foarte neplacut ca ceva rau urmeaza sa se produca in viitorul imediat
- traire de depersonalizare si de derealizare
- senzatie de sufocare, de lipsa de aer
- e in stare de alerta psihica, hipervigila
- in raport cu sine pacienta se simte nesigura ,vulnerabila si neajutorata avand nevoie de protectie din partea unor persoane puternice

Din punct de vedere **biologic:**
- dezvolta o dermatita ce nu are o cauza organica, fiind consultata de un specialist dermatolog ce-i confirma ca e pe fond emotional
-dissomnie cu adormire dificila (din cauza dificultatii de relaxare, a fricii de cosmaruri)
- transpiratii mai ales in palme
- hiperreactivitate la stimuli

Din punct de vedere al **performantelor cognitive:**

- atentia este hipermobila,investigatorie,dispersata cu dificultati de concentrare si persistenta
- cursul gandirii este segmentat din cauza dificultatii de persistenta

Prezinta o fobie ce se deruleaza dupa urmatoarea ***schema:***

- cunoasterea de catre pacienta a fenomenului fobic corelat cu situatiile care duc la atacul de panica
- anxietate anticipatorie in apropierea contactului cu situatia fobogena (instante judecatoresti, politie)
- conduita de evitare-asigurare
- atac de panica (sau o traire echivalenta) la contactul cu obiectul fobogen (politist, jandarm, procuror, judecator).

Reducera stimei de sine si starile de rusine traite, au condus la sentimentul de dezonoare la convingerea pacientei ca alte persoane nu o vor mai respecta, traind stari de gol interior de retragere, izolare.

Psiholog clinician si Psihoterapeut,
**Remus Crangu**

CABINET INDIVIDUAL DE PSIHOLOGIE
CRÂNGU REMUS CONSTANTIN
BACĂU - ROMÂNIA

CRÂNGU REMUS
CONSTANTIN
Psiholog Clinician
Cod: 05816

# CURRICULUM VITAE

**Numele: CRANGU**
**Prenumele : Remus Constantin**
**Data naşterii:** 01.04.1974
**Adresa:** Bacau, Stadionului, Bl.6, Sc.C, Ap.19
**Naţionalitatea:** română
**Starea civilă:** necăsătorit

**EDUCAŢIA:**
**Instituţii de învăţământ**
1988-1992 Liceul Industrial Nr.1 Moinesti, Profil: Electrician
1994-1997 Grup Şcolar MIHAI EMINESCU (Şcoala Postliceală Sanitară, Bacău)
2001-2002 Curs specializare -Nursingul psihiatric-Spitalul Universitar –Socola IASI
2002-2007 Universitatea Lucian Blaga, Sibiu, Facultatea de Psihologie si Sociologie, Specializarea: Psihologie
2007-2008 Master sexologie –Universitatea de Medicina si Farmacie –Iuliu Hatieganu –Cluj Napoca
2008-2010 Curs de formare în psihoterapie - HIPNOZA CLINICA MEDICALA DE TIP ERICKSONIAN
**Funcţia deţinută în prezent: psiholog si psihoterapeut**
**Vechimea în cadrul instituţiei:**
1 Martie 2008 - prezent, Spitalul Judetean de Urgenta Bacau, sectia Oncologie Medicala
2009-2010 –psiholog la CMI HRIBAN CAMELIA ELENA
2010 si in prezent –Cabinet individual de psihologie si psihoterapie
**Experienţă profesională :**

| De la – până la | Locul | Instituţia | Funcţia |
|---|---|---|---|
| 1999-2000 | Spitalul Judetean de Urgenta Bacau | Dispensar | Asistent medical |
| 2000-2008 | Spitalul Judetean de Urgenta Bacau | Sectia Psihiatrie | Asistent medical |
| 2008-prezent | Spitalul Judetean de Urgenta Bacau | Sectia Oncologie | Psiholog |

**Alte informaţii relevante** (de exemplu: publicaţii, cursuri, conferinţe):

Participari Internationale

2007- Paris, Franta- Simpozion de Psihiatrie, Psihologie ;
2008 - Hong-Kong, China- Simpozion de Psihiatrie, Psihologie ;
2009- Bangalore, India- Simpozion de Psihiatrie, Psihologie ;
2010- Chennai Madras, India- Simpozion de Psihiatrie, Psihologie ;
2011- Lisabona, Portugalia- Simpozion de Psihiatrie, Psihologie ;

Participari Nationale

2011- Bacau- Simpozion de Psihiatrie, Psihologie

**Limbi străine: Nivelul cunoştinţelor este indicat pe o scară de la 1 la 5 (1 – excelent; 5 – cunoştinţe de bază)**

| Limba | Citit | Vorbit | Scris |
|---|---|---|---|
| Engleză | 2 | 2 | 2 |

Județul .....
Localitatea .....
Unitatea sanitară .....

Nr. fișă/carte sanitară .....

CABINET MEDICAL DE MEDICINA FAMILIEI
Dr. GÎRLEA CĂLIN
Cod Specialitate/F
Sector

## ADEVERINȚĂ MEDICALĂ

Se adevereşte că: DUMITRU MĂDĂLINA
Născut: 1996 luna ian
Cu domiciliul în: jud. ..... localitatea Pănătăul
str. Trandafirului nr. 14 Având ocupația de: .....
..... la .....

Este suferind de: apendicită de pupă acută
Se recomandă repaus 18.05 - 24.05.2012
internare chirurgie

S-a eliberat prezenta spre a-i servi la: .....

Semnătura și parafa medicului

Data eliberării:
20 12 luna 05 ziua 18

L.Ș. .....

C.G.575/986

19x1.1, A5 t2

CABINET MEDICINA FAMILIEI

# CERTIFICAT MEDICAL

an. 2013. luna. mai. zi. 14

PACIENTUL. Dumitru Kaidatiu CNP 2860314124127
domiciliat in
judetul.....localitatea. Bucuresti, sect 5.....strada...
Petrache Poenaru.....nr. 15.....este diagnosticat cu urmatoarele afectiuni:

1/ Tulburare depresiva cu elemente delirante de tip persecutor. Antecedente [illegible] Glaucom cronic cu [illegible] Adenom de prostata [illegible] Hipertrofie benigna de prostata [illegible] Artrita cronica [illegible] Artroza [illegible]
Aprobat cabinet)
2/ Litiaza biliara cu [illegible] Colecistectomie [illegible]
3/ Sindrom anemic cu [illegible] din 23.03.2013.

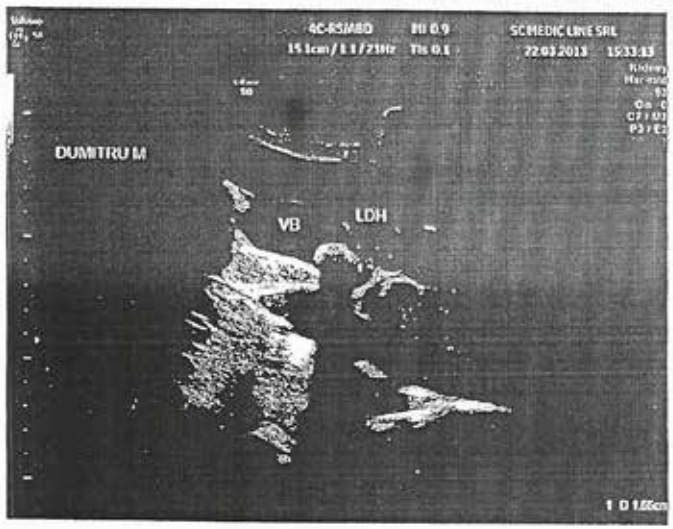
I s-a eliberat pezenta pentru a-I servi la:.....instanta.....

MEDIC

Dr. BIANCA SANDU
Medic Primar MF
COD: E 07885

LS

CMCAL - SCUM CENTRALA BUCUREȘTI - CLĂDIRE
CT-020-T


SCMEDIC LINE SRL
22.03.2013
DUMITRU M
VB
LDH

**MEDIC** *line*

*Calea către sănătate!*

**BULETIN ECHOGRAFIE**
NR.....DATA 22.03.2013

NUMELE.....
PRENUMELE.....VARSTA 28 ani
DIAGNOSTIC.....

1. FICAT
DIMENSIUNI
LS (<5 cm).....LD (N=12-14 cm).....LC (N=2-3 cm).....
ECOSTRUCTURA.....

2. COLECIST
DIMENSIUNI.....FORMA.....
PERETE.....
CONTINUT.....

C.B.P. (hepatocoledoc N=4-6 mm).....
C.B.I.H.....

3. PANCREAS
DIMENSIUNI (diam.antero-post cap/corp/coada N=26/22/18 mm).....
CONTUR.....
ECOSTRUCTURA.....

4. SPLINA
DIMENSIUNI (ax longitudinal/transversal N=11-13/03-5 cm).....
CONTUR.....
ECOSTRUCTURA.....

VENA SPLENICA (hil N=0.5-1 cm).....

5. RINICHI

centrofarm

**MEDIC line**

*Calea către sănătate!*

POLICLINICA și LABORATOR

**Beneficiază de reducerea Centrofarm pe baza rețetei eliberate în Medic Line**

Localitatea: .....

Nume: DUMITRU

Prenume: MARIANA

Nr. Dosar / Fișă: ..... Vârsta: .....

DIAGNOSTIC: .....

.....

.....

Rp.

1) KREON 1.

DS. inte 1 8 x 2 g.

în timpul mesilor,

3 zile.

2) Omeg 20 mg 1

DS inte 1/d. dimineața

înainte de masă 30 zile.

Data 23.11.2015

Dr. GHEORGHIU LUCIAN-ANDREI
Medic primar endocrinologie
Doctor în științe medicale
Supraspecializare nutriție și dietetică
Cod: 886478

Semnătura / parafă

www.centrofarm.ro www.medic-line.ro

**MEDIC** *Line*

*Calea către sănătate!*

Tel:021/312.82.82 Web: www.medic-line.ro
Adresa:Calea 13 Septembrie nr. 194-196

acreditat pentru
ANALIZE MEDICALE
RO RA
RE AR
SR EN ISO 15189:2007
CERTIFICAT DE ACREDITARE
nr. LM 329/2010

## Buletin de analize nr. 210225032013 Cod bare:

| | | | |
|---|---|---|---|
| Nume: | DUMITRU MADALINA | Trimis de: | La cererea pacientului |
| CNP/Data nasterii: | 2860913134127 | Punct recoltare: | Prosper |
| Telefon: | 0746179919 | Data recoltarii: | 25-03-2013 |
| E-Mail: | L @yahoo.com | Rezultat: | 09-04-2013 |

### Hematologie - Mindray BC3000Plus / Validat de DR. ANTIPA CONSTANTA - Medic Laborator

| Sange - Proba corespunzatoare | Rezultat | | Interval biologic de referinta |
|---|---|---|---|
| Hemoleucograma completa * | | | |
| Numar leucocite | 7.7 | x 103/micro L | 4 - 9.8 |
| Numar limfocite | 3 | x 103/micro L | 1 - 3.5 |
| Numar monocite | 0.6 | x 103/micro L | 0.1 - 0.7 |
| Numar granulocite | 4.1 | x 103/micro L | 2.2 - 7.8 |
| Procent limfocite | 38.6 | % | 21 - 38 |
| Procent monocite | 8.6 | % | 0 - 9 |
| Procent granulocite | 52.8 | % | 55 - 73 |
| Numar de eritrocite | 4.84 | x 106/micro L | 3.8 - 5.1 |
| Hemoglobina | 11.5 | g/dL | 12 - 15 |
| Hematocrit | 36.4 | % | 36 - 42 |
| Volum eritrocitar mediu | 75.3 | fL | 78 - 93 |
| Hemoglobina eritrocitara medie | 23.7 | pg/Eritrocit | 27 - 35 |
| Concentratia medie Hb/Eritrocit | 31.5 | g/dL Eritrocit | 32 - 36 |
| Largimea distributiei eritrocitare (RDW) | 15.2 | % | 11 - 14.5 |
| Deviatia standard a RDW | 40.2 | fL/Eritrocit | 29 - 52 |
| Numar trombocite | 469 | x 103/micro L | 150 - 400 |
| Volum trombocitar mediu | 9.9 | fL | 7 - 14 |
| Largimea distributiei trombocitare | 15.9 | % | 10 - 40 |
| Trombocitocrit | 0.464 | % | 0.15 - 0.42 |

### Biochimie - Mindray BS300 / Validat de Costea Florina - Biolog

| Ser - Proba corespunzatoare | Rezultat | | Interval biologic de referinta |
|---|---|---|---|
| glicemie | 102 | mg/dl | 70 - 105 |
| transaminaza TGO | 18.7 | mg/dl | 0 - 32 |
| transaminaza TGP | 3 | UI/L | 0 - 31 |
| colesterol seric total | 152 | mg/dl | 110 - 230 |
| trigliceride serice | 103 | mg/dl | 35 - 160 |
| HDL colesterol | 47 | mg/dl | 30 - 85 |
| calciu ionic seric | 4.06 | mg / dL | 3.5 - 4.2 |
| calciu seric total | 9.5 | mg/dl | 8.8 - 10.3 |
| uree mie | 101.6 | ug/dl | 37 - 165 |
| proteine serice totale | 6.8 | g/dL | 6.4 - 8.6 |
| fosfataza alcalina | 125.4 | U/l | 50 - 240 |
| trigliceride serice | 73.5 | | 20 - 220 |

### Imunologie - Immulite 2000 / Validat de Costea Florina - Biolog

| Ser - Proba corespunzatoare | Rezultat | | Interval biologic de referinta | |
|---|---|---|---|---|
| TSH | 3.21 | µIU/ml | 0.2 - 3.5 | Sarcina |
| | | | 0.4 - 4 | |
| free T4 | 1.23 | ng/dl | 0.86 - 1.87 | Sarcina trim 1 |
| | | | 0.89 - 1.76 | |
| | | | 1.64 | |
| cortizol | 14.9 | µg/dl | 2.5 | |
| | | | 5 | |

Dr. ANTIPA CONSTANTA
medic primar laborator

210225032013 - DUMITRU MADALINA - pagina 1 din 1

Rezultatele se refera numai la proba analizata. Se interzice reproducerea totala sau partiala a buletinului.
Valori ocreditate renar.

Editia 2 / Rev. 1 / 03-08-2009

De efectuat
- IgG anti Helicobacter Pylori
- proteină C reactivă
- IgA anti trans - glutaminază tisulară (TTG).

INNERGY

Jud. _____ Localitatea _____
Unitatea Sanitară _____
Numele Bujutan
Prenumele Nadejda
CNP _____
Vârsta _____ Sex M/F
Adresa Buc

DIAGNOSTIC Dispepsie funcțională
Rp

1. NEXIUM, 20mg, fl II
DS: 1 cp/zi, (D), 1 Cur

2. DEBRIDAT, cp fl II
DS: 1 cp x 3/zi, mănâncă de mese, 1 Cur

2

Bifido-Plus* ☐
Sinergin* ☐
Bifido-Baby ☐
In-Ca* ☐

Partener National

Parafa medic

10%

* Compensarea se acordă doar la produsele Innergy, pe baza rețetei cu bichet distinctiv, în farmaciile partenere.

IDS LABORATORIES
Adresa : BUCURESTI, CALEA DOROBANTILOR NR.58, SECTOR 1
Telefon : 021-2115862,021-2115863,031-8054572
e-mail : office@ids-laboratories.ro
Punct de lucru : BUCURESTI, Bdl. Marasesti nr. 90
Tel.: 031-805.46.70,031-805.45.71
e-mail : office.marasesti@ids-laboratories.ro

acreditat pentru
ANALIZE MEDICALE
RENAR
SR EN ISO 15189:2007
CERTIFICAT DE ACREDITARE
nr. LM 113/2008
BA - LIDS - 01

# BULETIN DE INVESTIGATII MEDICALE

**ID Buletin : 10-5644**

Exemplar nr. : 1

NR. PREZENTARE REGISTRU : 422021

Data si ora inregistrarii : 17.04.2013/12:06:01

10 - 5644

Data si ora validarii : 17.04.2013 / 12:27:51

Numele pacientului : DUMITRU MADALINA
COD NUMERIC PERSONAL : 2860913134127 **Sexul : Femeiesc** **Vârsta : 26 ani**

NR. CRT.

GRUPA DE SERVICII : Biochimie — Metoda : Chimie umeda — Tipul probei : ser
Starea probei la recoltare :

| | DENUMIRE ANALIZA / TEST / SERVICIU | REZULTAT | U.M. | VALORI BIOLOGICE DE REFERINTA |
|---|---|---|---|---|
| 1 | Proteina C reactiva adulti | 0.12 | mg/dL | 0.00 - 0.50 |

*Determinari efectuate la : 17.04.2013 18:59:29, de : Biolog principal Anda Vladescu - Observatii (comentarii) :*

GRUPA DE SERVICII : Biologie Moleculara
Starea probei la recoltare :

| | DENUMIRE ANALIZA / TEST / SERVICIU | REZULTAT | U.M. | VALORI BIOLOGICE DE REFERINTA |
|---|---|---|---|---|
| 2 | Depistare Helicobacter Pylori | Pozitiv | | negativ |

*Determinari efectuate la : 18.04.2013 12:27:51, de : Chimist specialist Florentina Berbec - Observatii (comentarii) :*

GRUPA DE SERVICII : Imunologie — Tipul probei : ser
Starea probei la recoltare :

| | DENUMIRE ANALIZA / TEST / SERVICIU | REZULTAT | U.M. | VALORI BIOLOGICE DE REFERINTA |
|---|---|---|---|---|
| 3 | Anti-transglutaminaza tisulara - IgA | 1.5 | U/mL | < 10 |

*Determinari efectuate la : 19.04.2013 10:36:16, de : Biochimist Alina Mocanu - Observatii (comentarii) :*
*Determinari realizate la : IDS Laboratories Bucuresti Verificate de Dr. Ana Persu, 707790*

SEF LABORATOR Ana-Ioana Persu
Medic Primar Microbiologie
DR. ANA PERSU 707790

*Incercarile marcate cu ( * ) nu sunt acoperite de acreditarea Renar.*
*Opiniile si interpretarile prezentate in acest buletin nu sunt acoperite de acreditarea Renar*
*Pentru detalii suplimentare va rugam sa solicitati certificatul de acreditare la office@ids-laboratories.ro*
*Rezultatele se refera numai la proba analizata si sunt parte integranta a acestui buletin de analiza*
*Buletinul nu poate fi reprodus in intregime sau partial ,decat cu acordul scris al IDS LABORATORIES*

**IDS LABORATORIES**

BUCURESTI, CALEA DOROBANTILOR, NR: 58, SECTOR 1
Tel / Fax : 211.58.62 Tel : 211.58.63 ; 211.58.64
e-mail : ids@xnet.ro ; web : http://www.ids-laboratories.ro

Nume si prenume: Mădălina Buzatu

Data: 13 05 2013

## REZULTAT ECOGRAFIE

PANCREAS: dimensiuni: Cap 1 cm G. ecostructura: omogen, hiperecogen

FICAT: dimensiuni: 21 cm G ecostructura: omogen, hiperecogen

COLECIST: dimensiuni 7 cm G. perete fin, fără calculi, de cca 14 ml,

C.B.P.: nu se vede V.P.: nu se vede

RINICHI DREPT: dimensiuni: 10 cm sistem pielocaliceal: pozitie: normal

fără modificări ale G / ai sai

RINICHI STANG: dimensiuni: 10 cm G sistem pielocaliceal: pozitie: normal

fără modificări ale G / ai sai

SPLINA: dimensiuni: 10 cm G ecostructura: omogen, hiperecogen

VEZICA URINARA: ~~fără~~ fără calculi și alte leziuni

UTER: dimensiuni normale 7 cm G. omogen

ANEXE: nu se vede

FĂRĂ lichid în cavitatea peritoneală

PROSTATA:

- cu contur șters de cca 14 ml
- fără modificări ale G

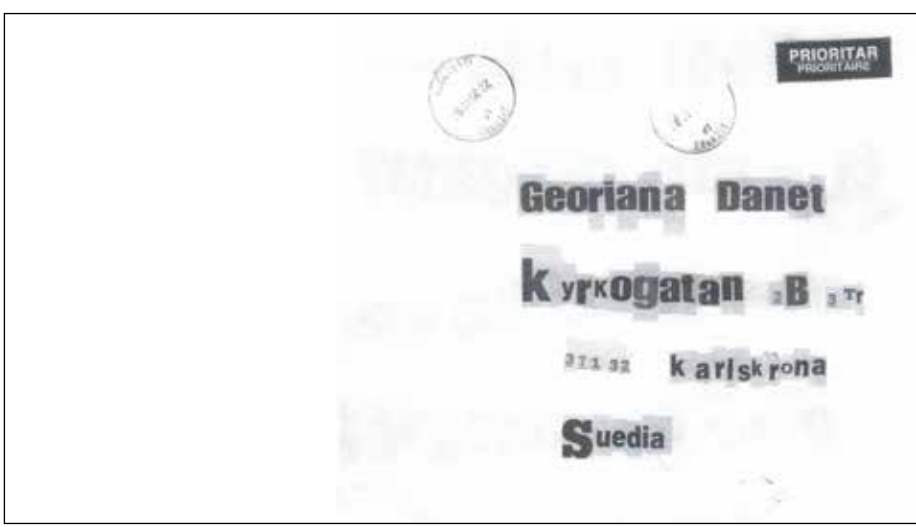
DR. STELUȚA MIREA
Medic specialist Medicină internă
competență Ecografie Generală
COD: 841768

**ROMANIANS, NEVER LET YOURSELF BE MANIPULATED BY THE ENSLAVED MASS MEDIA FROM ROMANIA, WHICH WORKS TO CEASELESSLY DISCRIMINATE, DEFAME AND MOCK THE YOGHINS OF THE M.I.S.A. SPIRITUAL SCHOOL!**

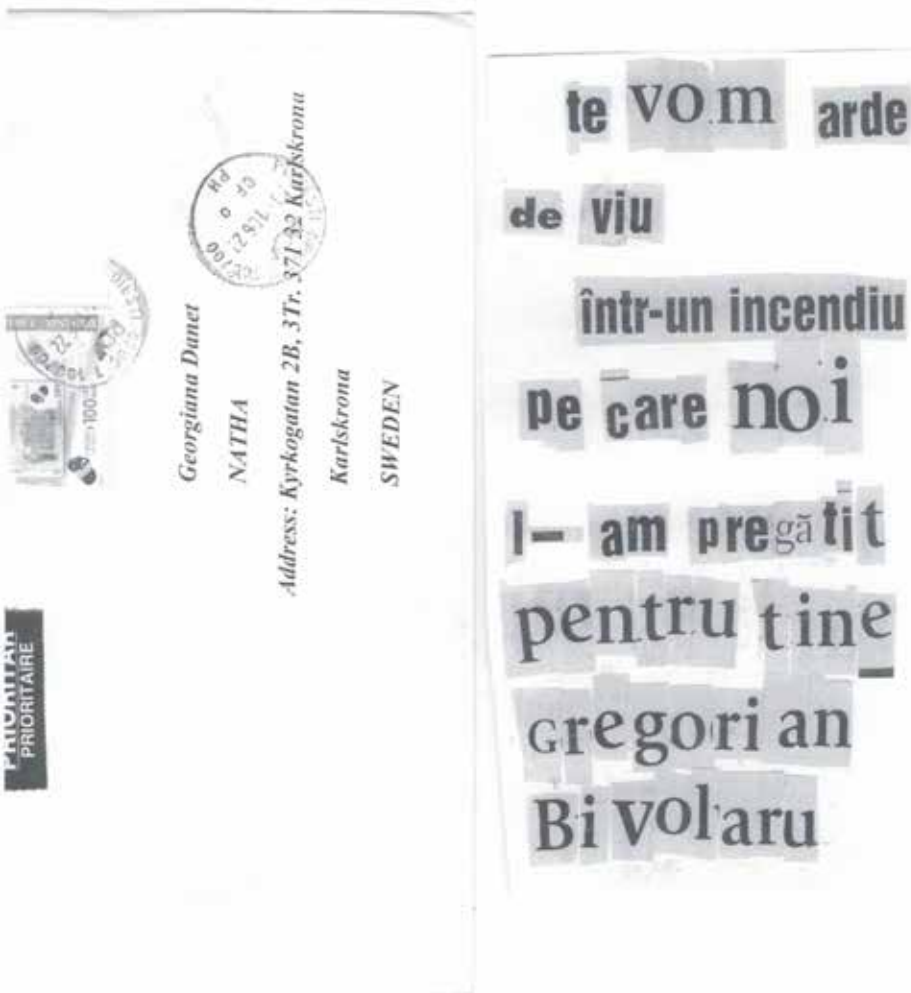
# ANNEX V

# DEATH THREAT LETTERS RECEIVED BY GREGORIAN BIVOLARU BOTH AT HIS HOME IN KARLSKRONA, SWEDEN AND AT THE NATHA YOGA CENTRE HEADQUARTERS IN DENMARK

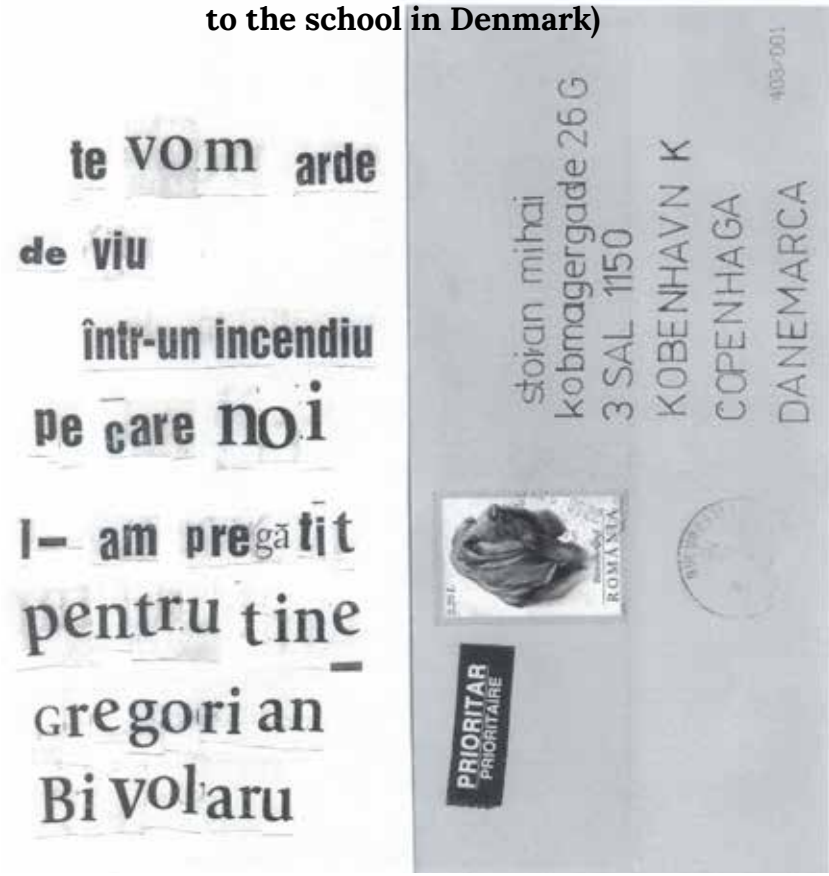
**Letter No. 1**
**(unstamped, sent from Bucharest post office to Sweden, 22nd January 2006)**

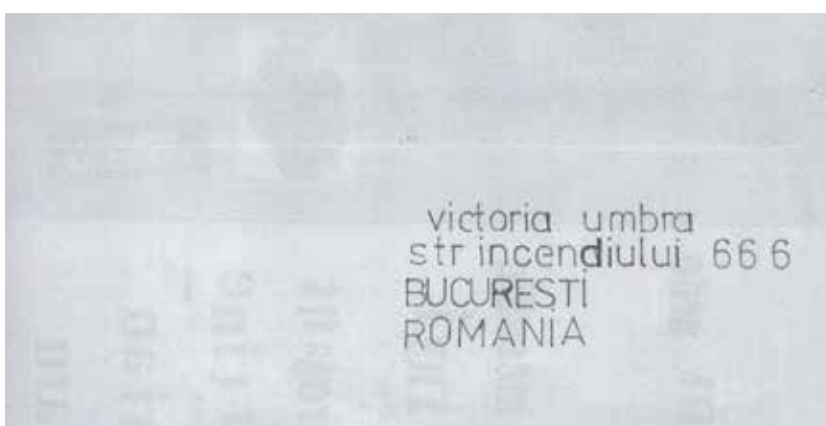


**Letter No. 2**
**(stamped, sent from Ploiesti post office to Sweden, 30th January 2006)**

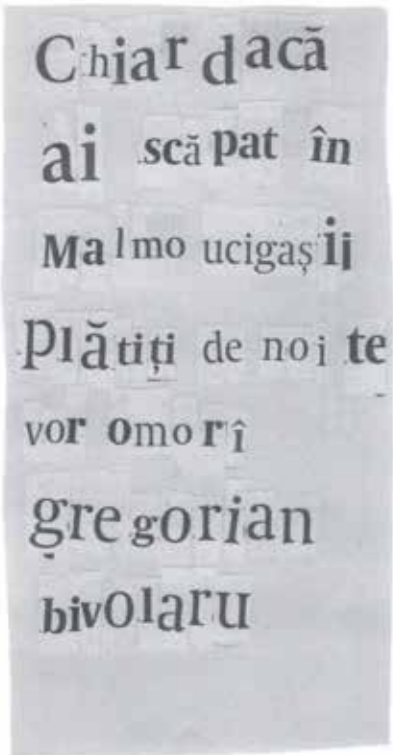


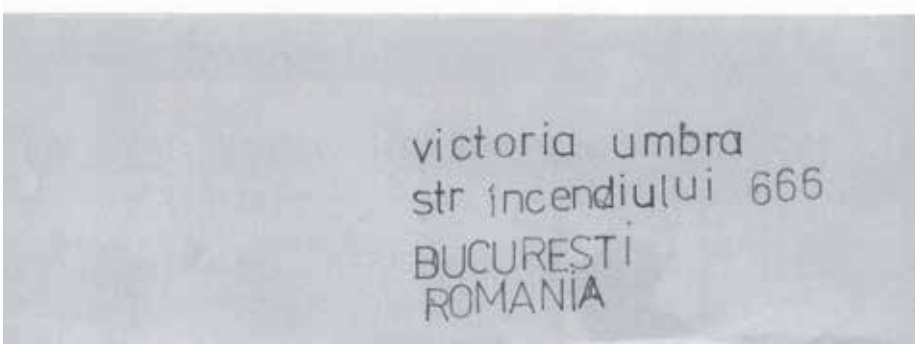
**Letter No. 2a**
**(identical to letter No 2, this time sent to the school in Denmark)**



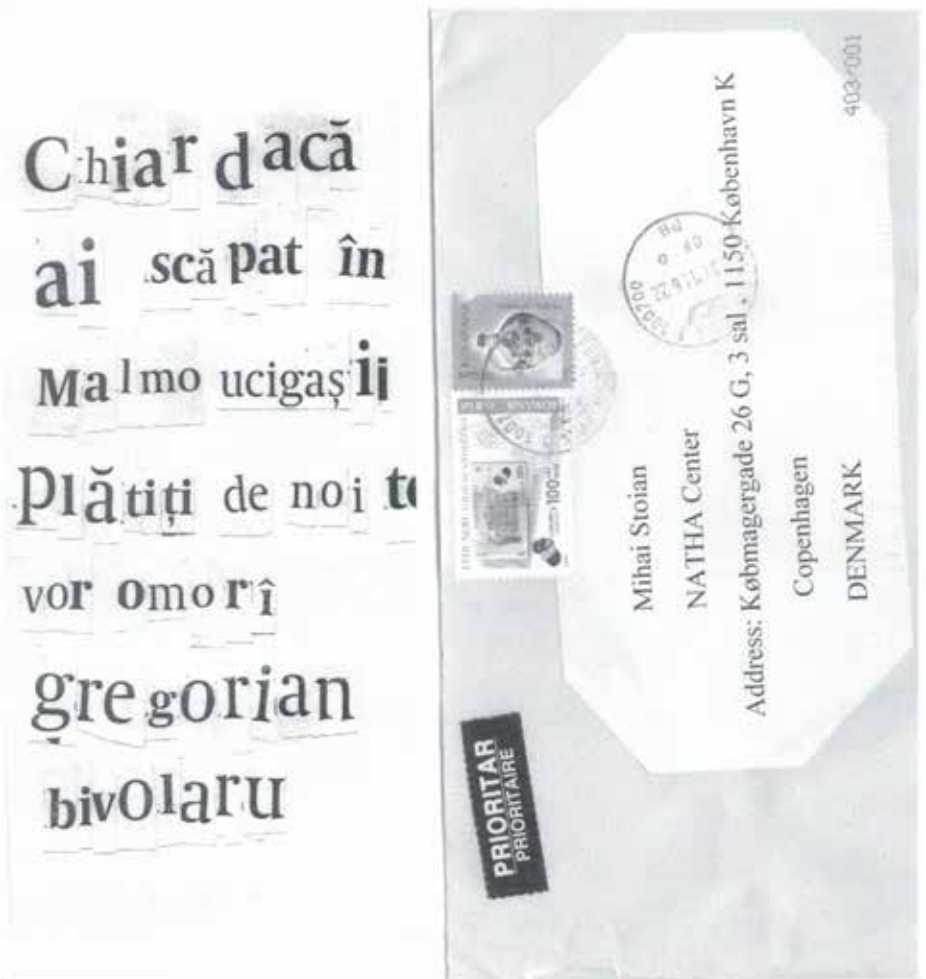



**Letter No. 3**
**(stamped, sent from Bucharest post office to Sweden, 30th January 2006, wrapped in pink paper. A "sender" is also mentioned: Victoria Umbra, 666 Incendiului Street)**


Chiar dacă
ai scăpat în
Malmo ucigaşii
plătiţi de noi te
vor omorî
gregorian
bivolaru


victoria umbra
str incendiului 666
BUCURESTI
ROMANIA

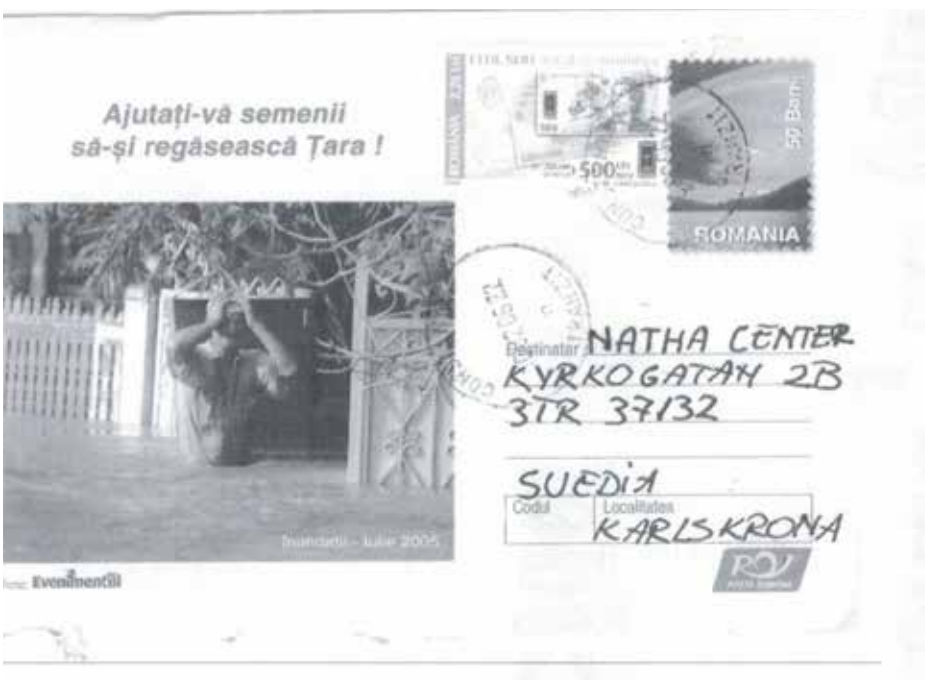
**Letter No. 3a**
**(the same letter which was also sent to The NATHA Yoga Centre in Denmark)**



**Letter No. 4**
**(stamped, sent from the post office in Constanta to Sweden, 10th January 2006)**

bivolaru, te vom

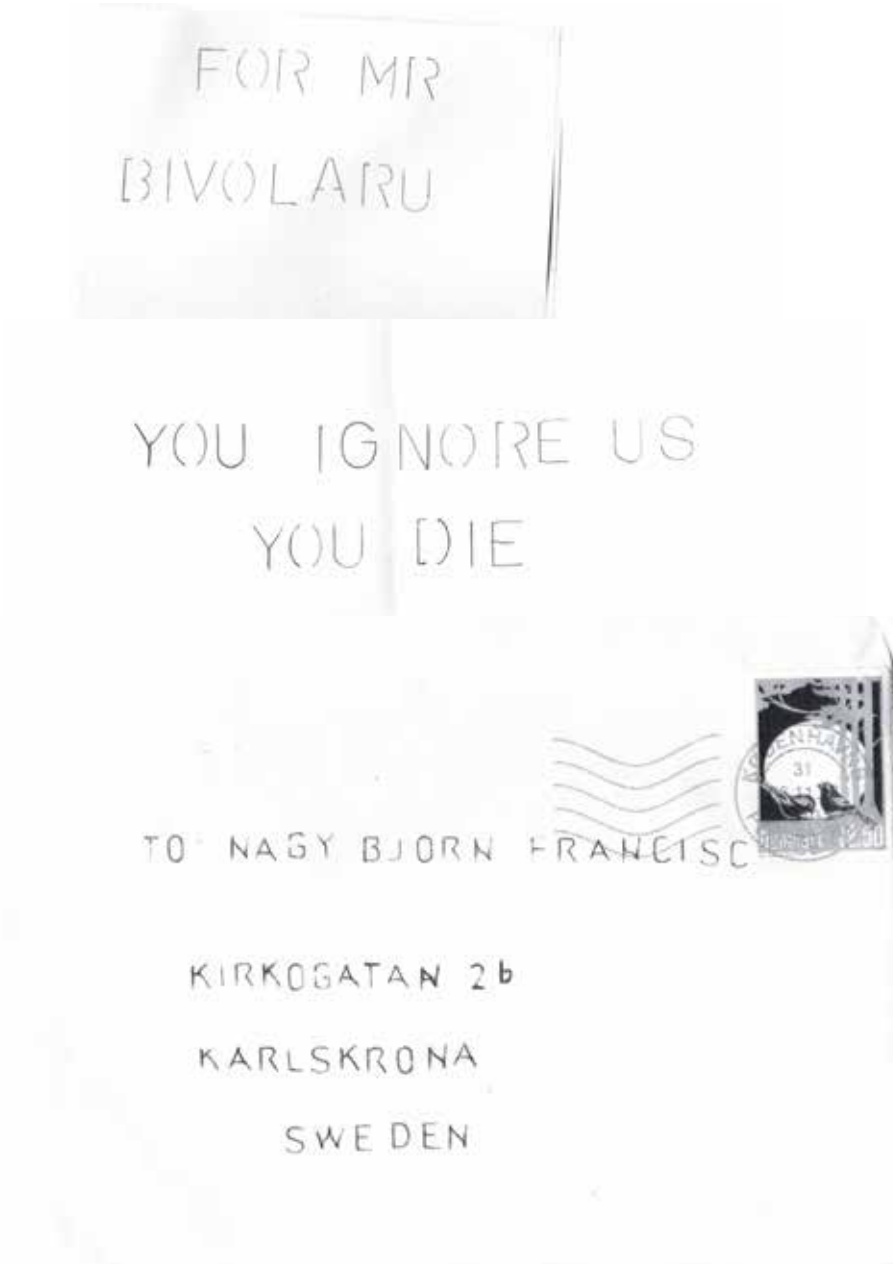
ucide !



**Letter No. 5**
**(stamped, sent from Galati to Sweden on 26th February 2006), from SC P DUE SRL, Galati, Romania**

**Letter No. 6**
**(stamped, sent from the post office in Braila to Sweden, 25th February 2006)**

**Letter No. 7**
**(stamped, sent to Sweden on 6th November 2006**



**Letter No. 8**
**(stamped, sent from the post office in Constanta to Denmark on 10th February 2006)**

**Letter No. 9**
**(unstamped, sent from the post office in Brasov to Denmark, February 6th, 2006). There's also a "sender" mentioned: Adrian Bombonel, str. Pedepsei, nr. 1, sector 1, Bucharest, Romania**

**Letter No. 10**
**(stamped, sent to Sweden)**

GEORGIANA DANET
ADRESA: NATHA CENTER
KYRKOGATAN 2B 3Tr
37132 KARLSKRONA
SUEDIA

# Letter No. 11
# (translated from English to French)

*Traduit d'anglais en français*

*L'enveloppe portant deux timbres et le cachet de la poste du 25 février 2016:*

SGLA
40 Jupiterstrasse
8032 Zurich
Suisse

Dest.: Gregorian Bivolaru
2B Kyrkogatan
37132 Karlskrona
Suède

*L'enveloppe dans laquelle se trouvait la lettre et qui était insérée dans l'enveloppe portant le cachet de la poste:*

TOP SECRET!
STRICTEMENT PERSONNEL!
À ÊTRE OUVERT UNIQUEMENT PAR LA PERSONNE MENTIONNÉE
AU DESTINATAIRE

M.....

Pour des raisons faciles à comprendre, nous n'allons pas mentionner ton nom, mais tu peux être sûr que cette lettre ne s'adresse qu'à toi.

Nous sommes les invulnérables que tu as l'habitude d'attaquer. Ne fais pas l'erreur de jamais montrer cette lettre à quelqu'un, car cela nous va vraiment nous fâcher ..... et tu le regretteras énormément quand tu verras ce qui se passera par la suite.

Si notre ' proposition favorable présentée à la fin te semble inacceptable, détruis immédiatement cette lettre sans la montrer à personne. Si, au contraire, tu choisis de la divulguer, sois conscient que personne ne te croira ou n'essayera même pas de t'aider. Tu souffriras horriblement les conséquences de cette trahison. Ce que nous disons ne doit pas être pris à la légère et tu l'experimenteras sur ta propre peau.

Si tu es fatigué d'être celui qui est CHASSÉ, constamment menacé avec la prison et avec le dédain des autres, alors ce n'est pas le moment de perdre cette dernière chance qui t'est offerte, si tu acceptes immédiatement et sans conditions l'affaire que nous te proposons.

Par la présente nous te prévenons que nous sommes prêts à conclure une bonne affaire avec toi si tu décides toi aussi à conclure un accord avec nous.

Voilà notre proposition, à partir de maintenant, pour toi: tu décideras à démanteler le plus rapidement possible cette organisation que nous n'aimons pas. En même temps, tu feras disparaître le site dégoûtant et anémique que tu détiens.

Après, tu ordonneras vite le démantèlement de toutes les organisations que tu as créées et

répandues dans tous les pays où toi, les „intellos", les „révolutionnaires" et les „leaders d'opinion", vous vous êtes rassemblés. Tu ordonneras la fin immédiate de toute lutte ou action hostile menée contre nous. Tu arrêteras à jamais d'écrire ou de publier des livres, quel que soit leur contenu. Tu arrêteras pour toujours de tenir de conférences, quel que soit leur sujet. Tu ordonneras que toute activité de ta pauvre et ennuyeuse chaîne TV en ligne s'arrête immédiatement.

Tu dois être bête de ne pas encore te rendre compte que ton opposition minuscule est inutile et sans espoir. Avec ou sans ta pauvre „opposition" pathétique, nous allons de toute façon gagner, car il n'y a personne et rien qui puisse nous arrêter. Tous ceux qui s'opposent à nous serons détruits comme des vers.

Si tu es prêt à conclure cette affaire, qui te sera profitable, si tu acceptes de manière inconditionnelle toutes nos demandes (sans aucune exception), alors tu dois agir sans délai.

Creuse ta cervelle pour trouver 5 ou 6 raisons pour les personnes stupides autour de toi afin de réaliser le démantèlement et la disparition de ton organisation détruite, des raisons faciles à avaler par tous. Ce que nous voulons de toi est de faire en sorte que l'organisation que tu as créée et qui maintenant t'est inutile disparaisse pour toujours.

Au cas où tu décides et si tu es prêt à conclure cet accord avec nous, c'est à toi de faire le premier pas et toutes les actions nécessaires suggérées dans cette lettre. Nous considérons qu'il s'agira d'une véritable preuve que tu es vraiment d'accord avec notre proposition seulement au moment où toutes nos demandes seront accomplies, seulement au moment où tu acheveras avec succès ce que nous avons demandé, par des ordres irréfutables.

Ce n'est qu'à ce moment-là, 15 jours après l'accomplissement de ces démantèlements requis, que tu seras contacté par notre messager qui te livrera la „grande" somme de 6 660 000 euros.

La somme que tu recevras sera entièrement livrée en liquide. Avec cet argent que tu recevras, et avec une autre offre extraordinaire pour ton avenir, tu peux faire ce que tu veux et ce que tu désires. Si tu décides et acceptes de continuer de coopérer avec nous à l'avenir, nous te proposons d'écrire 15 articles par an, dans lesquels tu promouvras de manière tentante mais aussi discrète le Nouvel Ordre Mondial. Ces articles paraîtront sous un pseudonyme connu à l'avance uniquement par toi et par nous. Ces 15 articles que tu livreras annuellement t'assureront un salaire de 666 000 euros.

Ultérieurement nous te prouverons notre confiance en toi en te livrant une carte bleue secrète afin que tu puisses retirer préalablement le montant de 666 000 euros, même si tu n'as pas encore livré tous les 15 articles annuels promis.

Cette offre tentante sera valable pour le restant de ta vie, car nous respecterons strictement notre promesse de te livrer annuellement 666 000 euros.

Cette offre cessera immédiatement seulement si tu seras tenté de nous trahir. Comme tu pourras bientôt le voir, nous respecterons toutes nos promesses énoncées dans cette lettre, sans aucune exception.

Enfin, réponds s'il te plaît: seras-tu à tel point stupide de rejeter maintenant la plus grande chance de ta vie? Tu continueras avec entêtement de lutter contre nous sans avoir aucune chance de gagner? Si tu continues à agir de la sorte, nous te prévenons par la présente que ton avenir n'est pas

NICCOLETA LUCA
English - Francais

du tout rose. Tu seras à nouveau hanté et mis en prison alors que de nouveaux procès seront intentés à ton encontre dans des pays autres que ton pays natal. Il est facile à deviner la raison pour laquelle tout cela se passera encore et encore uniquement à toi. Nous agirons toujours derrière les rideaux, dans le but de te détruire. Tu courriras de prison en prison comme un rat pris dans une piège et tu finiras le restant de tes jours dans une cellule. Tu es déjà sur la liste des criminels les plus recherchés d'Europe à notre commande.

Toutes ces difficultés cesseront seulement si tu acceptes d'accomplir toutes nos demandes sans délai.

Ta vie, ta santé, ton bonheur et ta liberté sont ici en jeu et ils seront sérieusement affectés si tu refuses la coopération qu'on te propose maintenant pour la première et dernière fois.

Choissiras-tu une vie facile et heureuse ou la mort?

Choissiras-tu la liberté ou la prison?

Nous attendons que tu fasses immédiatement les pas requis. Si tu veux être un martyre, ainsi soit-il. Si tu veux éviter tout cela, alors coopère.

LES MAÎTRES VEILLANTS

# Letter No. 12
# (translated from English to French)

*Traduit d'anglais en français*

*L'enveloppe portant cinq timbres et le cachet de la poste:*

3 Peter-Lenne Straße
14195 Berlin
Allemagne

Dest.: Gregorian Bivolaru
2B Kyrkogatan
37132 Karlskrona
Suède

DANET GEORGIANA
c/o MARIA RUNDQVIST TFS 2016-09-10
SYRÉNVÄGEN 1

371 62 LYKEBY
code barres 2054073800

*L'enveloppe dans laquelle se trouvait la lettre et qui était insérée dans l'enveloppe portant le cachet de la poste:*

TOP SECRET!
STRICTEMENT PERSONNEL!
À ÊTRE OUVERT UNIQUEMENT PAR LA PERSONNE MENTIONNÉE
AU DESTINATAIRE

M.....

Heureusement tu as commencé à te rendre compte de l'ampleur et du sérieux de notre proposition, et aussi de notre détermination afin de respecter ces promesses. La chaîne récente d'événements devrait être une leçon suffisamment forte, même pour toi. Et ce n'est que le début, tel que tu en a été prévenu. Choissis donc attentivement tes pas et tes actions futures.

Voilà à nouveau notre proposition d'accord. Ce sera maintenant encore plus significatif pour toi, car tu peux à nouveau goûter notre force et détermination. À partir de maintenant, il n'y aura que des actions claires qui seront permises de ton côté, comme tu peux facilement le voir du nôtre.

N'oublie pas que nous sommes les invulnérables que tu as l'habitude d'attaquer. Ne fais pas l'erreur de jamais montrer cette lettre à quelqu'un, car cela nous va vraiment nous fâcher ..... et tu le regretteras énormément quand tu verras ce qui se passera par la suite.

Si notre proposition favorable présentée à la fin te semble inacceptable, détruis immédiatement cette lettre sans la montrer à personne. Si, au contraire, tu choissis de la divulguer, sois conscient que personne ne te croira ou n'essayera même pas de t'aider. Tu souffriras horriblement les conséquences de cette trahison. Ce que nous disons ne doit pas être pris à la légère et tu l'experimenteras sur ta propre peau.

Si tu es fatigué d'être celui qui est CHASSÉ, constamment menacé avec la prison et avec le dédain des autres, alors ce n'est pas le moment de perdre cette dernière chance qui t'est offerte, si tu acceptes immédiatement et sans conditions l'affaire que nous te proposons.

Par la présente nous te prévenons que nous sommes prêts à conclure une bonne affaire avec toi si tu décides toi aussi à conclure un accord avec nous.

Voilà notre proposition, à partir de maintenant, pour toi: tu décideras à démanteler le plus rapidement possible cette organisation que nous n'aimons pas. En même temps, tu feras disparaître le site dégoûtant et anémique que tu détiens.

Après, tu ordonneras vite le démantèlement de toutes les organisations que tu as créées et répandues dans tous les pays où toi, les „intellos", les „révolutionnaires" et les „leaders d'opinion", vous vous êtes rassemblés. Tu ordonneras la fin immédiate de toute lutte ou action hostile menée contre nous. Tu arrêteras à jamais d'écrire ou de publier des livres, quel que soit leur contenu. Tu arrêteras pour toujours de tenir de conférences, quel que soit leur sujet. Tu ordonneras que toute activité de ta pauvre et ennuyeuse chaîne TV en ligne s'arrête immédiatement.

Tu dois être bête de ne pas encore te rendre compte que ton opposition minuscule est inutile et sans espoir. Avec ou sans ta pauvre „opposition" pathétique, nous allons de toute façon gagner, car il n'y a personne et rien qui puisse nous arrêter. Tous ceux qui s'opposent à nous serons détruits comme des vers.

Si tu es prêt à conclure cette affaire, qui te sera profitable, si tu acceptes de manière inconditionnelle toutes nos demandes (sans aucune exception), alors tu dois agir sans délai.

Creuse ta cervelle pour trouver 5 ou 6 raisons pour les personnes stupides autour de toi afin de réaliser le démantèlement et la disparition de ton organisation détruite, des raisons faciles à avaler par tous. Ce que nous voulons de toi est de faire en sorte que l'organisation que tu as créée et qui maintenant t'est inutile disparaisse pour toujours.

Au cas où tu décides et si tu es prêt à conclure cet accord avec nous, c'est à toi de faire le premier pas et toutes les actions nécessaires suggérées dans cette lettre. Nous considérons qu'il s'agira d'une véritable preuve que tu es vraiment d'accord avec notre proposition seulement au moment où toutes nos demandes seront accomplies, seulement au moment où tu acheveras avec succès ce que nous avons demandé, par des ordres irréfutables.

Ce n'est qu'à ce moment-là, 15 jours après l'accomplissement de ces démantèlements requis, que tu seras contacté par notre messager qui te livrera la „grande" somme de 6 660 000 euros.

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Ultérieurement nous te prouverons notre confiance en toi en te livrant une carte bleue secrète afin que tu puisses retirer préalablement le montant de 666 000 euros, même si tu n'as pas

NICOLETA LUCA

encore livré tous les 15 articles annuels promis.

Cette offre tentante sera valable pour le restant de ta vie, car nous respecterons strictement notre promesse de te livrer annuellement 666 000 euros.

Cette offre cessera immédiatement seulement si tu seras tenté de nous trahir. Comme tu pourras bientôt le voir, nous respecterons toutes nos promesses énoncées dans cette lettre, sans aucune exception.

Enfin, réponds s'il te plaît: seras-tu à tel point stupide de rejeter maintenant la plus grande chance de ta vie? Tu continueras avec entêtement de lutter contre nous sans avoir aucune chance de gagner? Si tu continues à agir de la sorte, nous te prévenons par la présente que ton avenir n'est pas du tout rose. Tu seras à nouveau hanté et mis en prison alors que de nouveaux procès seront intentés à ton encontre dans des pays autres que ton pays natal. Il est facile à deviner la raison pour laquelle tout cela se passera encore et encore uniquement à toi. Nous agirons toujours derrière les rideaux, dans le but de te détruire. Tu courriras de prison en prison comme un rat pris dans une piége et tu finiras le restant de tes jours dans une cellule. Tu es déjà sur la liste des criminels les plus recherchés d'Europe à notre commande.

Toutes ces difficultés cesseront seulement si tu acceptes d'accomplir toutes nos demandes sans délai.

Ta vie, ta santé, ton bonheur et ta liberté sont ici en jeu et ils seront sérieusement affectés si tu refuses la coopération qu'on te propose maintenant pour la première et dernière fois.

Choissiras-tu une vie facile et heureuse ou la mort?

Choissiras-tu la liberté ou la prison?

Nous attendons que tu fasses immédiatement les pas requis. Si tu veux être un martyre, ainsi soit-il. Si tu veux éviter tout cela, alors coopère.

LES MAÎTRES VEILLANTS

# Letter No. 13
# (stamped, sent from France, from M. Spinosi Patrice, dated 13th July 2016)

À transmettre urgemment à M. Bivolaru Gregorian, alias Magnus Aurolsson:

Monsieur Bivolaru Gregorian, alias Magnus Aurolsson,

Le moment est venu de te prévenir dès maintenant que, à cause des actions et des commandes nous avons données il y a trois jours, tu arriveras à apprendre ultérieurement (officiellement) que ton pourvoi en cassation sera rejeté conformément à nos ordres fermes, et après cela tu seras envoyé, comme tu le mérites, dans la prison de Roumanie dont tu as tellement peur.

Tu recevras ton „prix" que nous t'avons préparé tant pour les livres et pour les conférences que tu as lancés contre nous au fur des années, que pour ton entêtement de ne pas prendre en considération et de ne pas faire ce que nous t'avons demandé dans ces lettres-là qui ont été envoyées à ton adresse en Suède.

Tu verras par toi même que nous ferons tout pour te détruire, en te gardant beaucoup d'années en prison. Sache que c'est toujours nous ceux qui avons donné l'ordre au juge Bartholin de rendre la décision que tu connais, et il a ensuite exécuté notre ordre. Tu n'as aucune chance, tu as voulu lutter contre nous, mais tu es trop petit pour réussir quelque chose.

Nos ordres seront exécutés, et tu seras ainsi convaincu que le pouvoir dont nous disposons est total.

Le pourvoi en cassation ne te servira à rien, car, comme tu l'apprendras officiellement, il sera rejeté, même si tu t'es fait beaucoup d'espoirs par rapport à ça.

Ce message s'adresse à toi personellement de notre part, mais si tu fais l'erreur de le montrer à d'autres personnes ou de le rendre public, personne ne te croira que c'est nous qui te l'avons adressé, donc si tu le fais, même cela ce sera en vain.

Nous t'avons prévenu par rapport à tout cela, pour que tu voies la merde où tu t'es mis, en luttant contre nous, et pour t'éclaircir encore une fois sur le fait que celui qui lutte contre nous est toujours vaincu, tout comme toi, et dépourvu de toute chance.

# Letter No. 14
# (stamped, sent from Switzerland to an address of Gregorian Bivolaru in Romania)

BIVOLARU GREGORIAN MAGNUS

The time have come for you to acknowledge your defeat. In fighting against us you have no chance. Your image is already smashed and we will continue to do so since, in a way or another, the mass media always listen our orders without you being able to do anything about it. The NEW WORLD ORDER is already in place and rules with or without your opposition. All you have tried or will try against us is futile in this moment. It is time to realize that it is meaningless to fight with us as we posses the means to silence you and even to completely destroy you. It is just madness if you still imagine that there is any chance. As previously made clear for you, should you continue to fight with us you will end up in prison again and again. We have all the means and secret leverages to crush you. Continue to fight us and you will only have a lot to loose and to suffer. If until now the tough lessons we have delivered taught you nothing then learn that tougher lessons are under way. And this is the only way, our way!

It is us and us alone making the games in this world as we are the ones always deciding beforehand who wins and who looses everything. We are always the fortunate ones since people are the easily manipulated flock who only think what they are told to. There is not nor there will be any exception from these iron rules that we, the elite, have enforced since long ago in the world.

To save you from the inevitable self-destruction you are heading to, if continuing to fight with us, we have decided to make one last offer. Until it is not too late for you choose to trigger the self-dissolve and self-dismantle of the movement and of all its branches and all will be good for you. Should you choose to do this immediately we promise we will make peace with you and all the troubles and tragedies, that otherwise are inevitable for you, will cease. You are now defeated and only such radical decision can save you from the disaster you are heading towards. On the other hand you will gain a lot if now you decide to immediately stop and make peace with us forever. If you will make this rational choice for your own good, in the end of the whole process of dismantling this movement you will receive 15 000000 euro in cash and you will be left alone. We promise beforehand, should you make this rational choice, that the current court case against you in Finland (in which you are already under international arrest warrant) as well as the one from Romania, will end without any further convictions for you. You will be cleared of all accusations and walk as a free (and even rich) man. You should realize that this firm promise is the only thing that stand between you and all the sufferance and dramas that come your way if you stubbornly refuse to accept this generous offer. Accept it now until it is not too late.

Yet, should you not accept this last offer, you will again end up in prison, both in Romania as well as in Finland, and in this situation (which we try to avoid now) we will be extremely tough and merciless since you brought this upon yourself by your own irresponsible decisions. Such fatal decision, a kind of complete self-annihilation, will send you in prison for many long years and you will have again the first hand experience, as you did in France when you were arrested, that our iron fist is extraordinarily powerful and secretly act in key moments so that nothing and nobody can stop it (if we don't want this to happen).

We, the elite, will be the ones who will decide your positive or negative DESTINY according to the choice you are about to make, this entire problem being created only by you. Naturally, accepting the above solution and deciding to forever make peace with us implies that you will forever cease any unfavorable disclosures about masonic lodges, Freemasons, the new world order and generally all the activities of the ELITE leading the world. Hopefully you realize

we do not ask for a few years of armistice with us but we demand you to make the rational choice of a total and definitive PEACE, that implies from your side a total and definitive SILENCE afterwards in all matters regarding us. On our side we ensure you beforehand that nobody will "take care" of you as long as you will keep your end of the deal regarding the established PEACE. As for the 15 000000 euro promised after the MISA movement and its branches are completely dismantled, they will be delivered cash by one of our messengers to a location of your choice. This can happen in two shipments of 7 500000 euro, starting 15 days after the disappearance of the movement you are leading.

All the above will happen precisely as written, with no possible deviation from the positive or negative outcome. Hopefully you understood that the answer of the french judges to your appeal was an outcome of the order from us, as we anticipated in our letter to your french lawyers. The same outcome will appear every time, together with new and heavy prison sentences, always tough and unstoppable, if you choose to continue your hopeless fight with us. You will be the only one always defeated and the one suffering many long years in prisons. Hopefully the memory of the months you spend in the Romanian prisons gave you clarity and reasons to choose now the reasonable solution in your favor and provide you with the deterrent to never again make sensational disclosures about us and about our past or future doings.

Choose now and wise the solution of DEFINITIVE PEACE with us and you will be well.

19.09.2017

THE WATCHING MASTERS

**TOP SECRET!**
**STRICTLY PERSONAL!**
**TO BE OPENED ONLY BY THE PERSON MENTIONED IN ATTN.**

---

Lindenhof 4
8001 Zürich
Switzerland

**Att.: Gregorian Bivolaru**
**4 SERGENT TURTURICA,**
**bloc.70 B, sc.1, ap.2**
**sector 5, Bucharest**
**Romania**

# Letter No. 15
# (stamped, sent from Switzerland to an address of Gregorian Bivolaru in Sweden)

Mr .....

For easy to guess reasons we will not mention your name yet you can be sure that this letter addresses you only.

We are the invulnerable ones that you use to attack. Do not make the mistake to ever show this confidential letter to anyone for this will really upset us ..... and then you will deeply regret when seeing what comes next.

If our favorable proposals presented in the end seem unacceptable to you, immediately destroy this letter without showing it to anyone. If instead you choose to divulge it, be aware that no one will believe you or even try to help you. You will suffer awfully the consequences of this betrayal. What we say is not to be taken lightly and you will experience this on your own skin.

If you are tired to be the HUNTED one, constantly threatened by prison and other people's disdain, then this is not the right time to loose the last chance you are given, provided you will immediately and unconditionally accept the deal we offer.

We hereby announce you that we are ready to make a good deal with you should you also decide to get to a deal with us.

Here is our proposal, from now on, for you: you will decide to disband as soon as possible this organization we do not like. In the same time you will make disappear that filthy and anemic website of yours.

Afterwards you will order shortly the disband of all organizations the you've made and spread in all the countries where you, "smart people", "revolutionaries" and "opinion leaders" gathered. You will order the immediate cessation of any fight or hostile action against us. You will forever cease to write or publish any books, irrespective of their content. You will forever cease to give lectures irrespective of their subject. You will order that any activity of your poor and boring online TV station will immediately cease.

You must be stupid if you didn't realize until now that your minuscule opposition is useless and hopeless. With or without your poor and pathetic "opposition" we will anyway win for there is nobody and nothing that can stop us. All of you that oppose us will be squashed like worms.

If you are ready to make this deal, that will benefit you, if you will unconditionally accept all our requests (without any exception), then you have to get in motion without any delay.

Squeeze your brain to find some 5-6 credible reasons for the stupid people around you in order to make the dismantling and disappearance of your wrecked organization easy to swallow by anyone. What we want from you is to make the organization that you have created and now it is useless for you to disappear forever.

In case you decided and want to make the deal with us than you must be the one making the first move and do all the needed actions suggested in this letter. We consider it a proof that you truly agree with our secret deal only when all our requests will be fulfilled, only when you will successfully finish what we've been asking for, through irrefutable orders.

Only then, 15 days after the accomplishment of these requested disbands, you will be contacted by our messenger who will deliver the "great" amount of 6 660 000 euro.

The whole amount received from us will be cash. With these money that you will receive, together with another amazing offer for your future, you can do whatever you want and wish. Should you choose and accept to further secretly cooperate with us in the future, we offer you to only write 15 articles per year in which temptingly but discreetly will be promoted the New World Order. These articles will appear under a pseudonym known beforehand only by you and us. These 15 articles that you will deliver annually will ensure you with a wage of 666 000 euro.

Afterwards we will prove our trust in you by delivering a secret card so you can withdraw beforehand the amount of 666 000 euro even if you didn't deliver yet all the 15 annually promised articles.

This tempting offer stands for the rest of your life as we will strictly keep our promise to provide you annually with 666 000 euro.

The offer will cease immediately only if you will be ever tempted to betray us. As you will soon see we will keep all our promises stated in this letter without exception.

Finally please answer: will you be so dump to reject now the greatest chance of your life? Will you stubbornly continue to fight us while having no chance for victory? If you continue to do so then we herby announce you that your future is not pink at all. You will be again hunted and jailed while new trials will be opened against you in other countries than your native one. It is easy to guess why this will happen time and again only to you. We will always act from behind the curtain, aiming to crush you. You will be running from prison to prison like a mouse in a trap and will end your remaining days in a cell. You are already on the Europe's most wanted list of criminals on our command.

All these ordeals will cease only if you accept now to fulfill all our requests without delay.

Your life, health, happiness and freedom are at stake here and will be severely affected should you choose to refuse the cooperation we offer now for the first and last time.

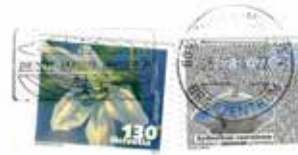
Will you choose an easy and happy life or death?

Will you choose freedom or prison?

Waiting for you to make the requested steps immediately. If you want to be a martyr so be it. If you want to skip all these then cooperate.

THE WATCHING MASTERS

SGLA
Jupiterstrasse 40
8032 Zürich
Switzerland




**Att.: Gregorian Bivolaru**
**Kyrkogatan 2B**
**37132 Karlskrona**
**Sweden**

**TOP SECRET!**
**STRICTLY PERSONAL!**
**TO BE OPENED ONLY BY THE PERSON MENTION**
**ATTN.**

# GLOSSARY

### *ABUSE*

Abuse is a violation of legality. Abuse of power is an offence committed by someone who is exceeding his or her powers. The 1936 Penal Code criminalises abuse of power (Article 245), abuse of authority (Article 246) and excess of power (Article 247). Excess of power relates to exceeding the powers of the office, abuse of authority relates to the improper exercise of the powers of the office, while abuse of authority concerns the unjustified use of public force. Abuse of authority is the act of a public official who, in the exercise of his or her official duties, knowingly and maliciously fails to perform an act properly or performs it defectively and thereby causes damage to the legal interests of a person.

### *ALLEGATION*

The term allegation means the invocation of a theory, an opinion in support of a statement made, or to justify an action.

### *AMOROUS EROTIC CONTINENCE*

The term continence comes from the Latin word continere, which in translation means to restrain, to stop, to hinder, to temper. Amorous erotic continence is designated by the Sanskrit term brahmacharya. Brahmacharya is one of the five rules of yogic behaviour (yama) mentioned in the Yoga Sutras of the sage Patanjali, namely 1. ahimsa (non-violence); 2. satya (truth); 3. asteya (non-stealing); 4. brahmacharya (ascetic restraint or amorous erotic continence); 5. aparigraha (non-possessiveness). In the yogic view, the Sanskrit word brahmacharya means amorous erotic continence, restraint, fully conscious control of the amorous function, transmutation and sublimation of the potential of the procreative substance of both man and woman, restraint in a particular direction, spiritual focus, all of which can be achieved both through ascetic practices and through the fully controlled exercising of amorous activity. Essentially, the observance of brahmacharya aims at the most perfect possible control of the potential of the procreative substance without negating the possibility of exercising the amorous function.

In the case of amorous erotic continence, the two beloveds capture in their inner universe and then offer to each other, with ardour and passion, both the subtle, sublime energy of Godly Love and the subtle, sublime energy of Pure Godly Eros.

**APADOR-CH**

The Association for the Defence of the Human Rights in Romania - Helsinki Committee (APADOR-CH) is a non-profit, non-governmental organisation founded in 1990 in Romania, which works for the protection of human rights and the restoration of balance when they are in danger or violated. APADOR-CH deals with violations of people's civil and political rights in their relations with public authorities. The association also works to prevent and report abuses made by the authorities. APADOR-CH does not get involved in conflict between individuals or between individuals and private institutions. The Association decides - depending on its short and medium-term strategies - whether to take up a specific case, whether and how to join actions initiated by third parties, and whether and how to react in certain situations that may degenerate into threats to civil and political human rights.

**ARREST WARRANT**

An arrest warrant is a procedural act consisting of an order issued by the prosecuting authority or the court to bring before them a person whose hearing or presence is required if that person, being previously summoned by a summons, has not appeared before them. The accused person or defendant may be brought by warrant even before being summoned if the prosecuting authority or the court finds, with reasons, that this is necessary. The content of the warrant is similar to that of the summons.

**ASANA**

Asana means posture in Sanskrit. Originally, the term meant the place where the yogi would sit. The most widely accepted meaning, however, is posture. The practice of these bodily postures is a fundamental stage in many branches of the yoga system and is considered to be the absolutely necessary foundation for the practice of the higher stages (concentration and meditation). The

Yoga Sutras, the classic yoga manual attributed to Patanjali, states only that the posture must be firm and comfortable, i.e., practised in a state of relaxation. It also states (in relation to meditation postures) that the torso, neck and head should be kept in a straight line. The Hatha Yoga Pradipika treatise states that regular asana practice generates stability and health and gives radiance to the physical body. Their effects are extremely varied: physiological, energising, mental, psychological, and spiritual.

### ASHRAM

The ashram is a centre for yoga practice, spiritual studies, and meditation in India. This centre can even be a house, a piece of land (such as a farm) or a monastery; so, in extenso, any place where people who are intensely and sincerely devoted to the spiritual search for God gather can be called an ashram.

### ATMAN

According to the Samkya and Yoga spiritual traditions, human beings have two identities: the real, immortal Self, called Atman or Purusha, and the relative, ephemeral, false self, the ego (called ahamkara in Sanskrit). According to the yoga teachings, the Supreme Immortal Self (in Sanskrit Atman) is not a part of the manifest, objective, or subjective World. It is, therefore, transcendent, eternal, unborn, dimensionless, unchanging, unalterable, and eternally all-powerful and immortal. Only when we reveal our Supreme Immortal Self (Atman), and we transform and then transcend our own human nature, can we attain complete communion with the Infinite (God).

### BRAHMAN

In Hinduism, Brahman represents the supreme, total, and universal Godly Principle (God). It is regarded in the spiritual traditions of mankind as both impersonal (nirguna, which can be translated as beyond any attribute or quality and nirvishesha, which can be translated as beyond any differentiation or distinctive cognition) and personal (aspect designated as Ishvara, which is saguna, meaning with qualities or attributes and savishesha, which can be translated as directly cognisable).

In the Vedanta tradition, Brahman is considered the Supreme and non-dual Reality and is characterised by a state of pure transcendence. It cannot be formulated by thought, word or speech. The great sage and liberated being Sri Ramakrishna often said, "No word has ever defiled Brahman".

**CNA**

The National Audiovisual Council (CNA) is an autonomous public authority in Romania responsible for protecting the public interest in the field of audiovisual programme services (radio, television). The CNA is subordinate to the Romanian Parliament, to which it submits an annual report and which appoints the 11 members of the Council for six-year terms. The National Audiovisual Council is considered the guarantor of the public interest and the sole regulatory authority in the field of audiovisual programmes. The CNA's mission is to ensure a climate based on free expression and public accountability in the audiovisual sector. In order to fulfil this mission established by the Audiovisual Law, which transposes the Audiovisual Mass Media Services Directive, the CNA issues decisions, recommendations, and instructions. Among these, the Decision on the Code of Regulation of Audiovisual Content stands out. Anyone can use the website to complain to the CNA if they believe the television, radio stations, or cable companies infringe on the audiovisual legislation. The National Audiovisual Council is the only regulatory authority in Romania in the field of audiovisual programmes.

**CNSAS**

The National Council for the Study of Securitate Archives (CNSAS) is an institution established under Law 187/1999 as amended, with the purpose of making available to Romanian citizens the files and documents drawn up by the former Securitate (The State Security Department under the Communist regime in Romania, also known as the political police) until 22 December 1989. The CNSAS verifies, ex officio or upon request, the membership or non-membership as agent or collaborator of the organs of Securitate, as political police in the case of persons running for election or appointment to certain public offices or positions. In the latter cases, checks are carried out ex officio; in other cases, checks are carried out upon request. Every

citizen has the right and the possibility guaranteed by law to see his or her file processed by the former political police if it exists. The CNSAS is governed by a College of 11 members appointed by the Romanian Parliament for a 6-year term.

***COMPLAINT***

In legal terms, a complaint is a request, an act by which a request is made to a judicial body to exercise control over an act of the state administration or the refusal of a body to carry out its legal duties. A criminal complaint is a request whereby the injured party refers a matter to a judicial body concerning the commission of an offence.

***CRIMINAL ACTION***

The means provided for by law by which persons who have committed offences are held criminally liable and punished in the courts, initiated by the act of indictment provided for by law (prosecutor's order or indictment, if the criminal action was not initiated during the prosecution) and which constitutes the means of bringing the case before the court for trial.

***CSM***

The Superior Council of Magistracy (CSM) is a public institution that has the role of guarantor of the independence of justice. The CSM is the competent institution for the recruitment, promotion, transfer, secondment, disciplinary sanctioning and dismissal of judges and prosecutors. The CSM also has a decisive influence on the initial and continuous training of magistrates by coordinating the work of the National Institute of Magistrates (INM) and the National School of Registrars. All these powers are regulated in such a way as to enable the CSM to fulfil the role conferred to it by the Constitution.

***DEFENDANT***

A defendant is a person against whom criminal proceedings have been instituted, but before criminal proceedings are started, against whom evidence may be given, and procedural measures are taken. A defendant may be detained by the criminal investigation body for up to 24 hours.

***DEMOCRACY***

Democracy (literally translated as "rule by the people", "people's power", from the Greek demokratia, from demos, which can be translated as people + kratos, which can be translated as power) is a political regime based on the will of the people. The basic principles of democracy are universal voting and the sovereignty of the nation.

The essence of modern democracy is respect for human rights (equality before the law, the right to express one's opinion, etc.), multiparty democracy and the limitation and separation of powers in the state. Democracy is inseparable from respect for human and citizens' rights.

According to the Larousse dictionary, democracy is a political system in which the people exercise their sovereignty without the intermediary of a representative body or through intermediary representatives. Webster's Dictionary defines democracy as follows: Government established by the people. In particular, the authority (rule) of the majority, a government in which supreme power belongs to the people and is exercised by them directly or indirectly through a system of representation usually involving freely organised elections by common people, especially when they are the source of political authority; the absence of hereditary or arbitrary class distinctions or privileges.

Today, the term is often used in the sense of liberal democracy, but there are many other varieties, and methods of governing may differ. Although the term democracy is usually used in the context of a political state, its principles are also applicable to other bodies or entities, such as universities, trade unions, public companies, or civic organisations. Politically, democracy is defined as a political system based on the principle of national sovereignty (the nation rules the state through its elected representatives, the principle of separation of powers in the state and the principle of equality of all before the law). An important element of democracy is the Constitution. This document, voted on by the people in a freely organised referendum, regulates the rights and freedoms of the individual in a state and defines the limits on the power of leaders in various positions in the state and government, defines fundamental policies and sets out the structure, duty, and power of government.

### *DEONTOLOGY*

Deontology (from the Greek deon, -ontos, i.e., obligation, that which is necessary to be done, and logos, i.e., science) is the set of duties incumbent on a human being in the exercise of a profession. Deontology is a branch of ethics that establishes the framework, rules of conduct and specific obligations of a professional activity. Deontological ethics considers that an action that has moral value is good only if it is governed by certain normative principles that ensure its necessity and universality.

### *DEPERSONALISATION*

Depersonalisation is a psycho-emotional state characterised by the annihilation of awareness of one's own personality, which occurs particularly in some mental illnesses. In the vocabulary of Securitate agents and some obviously malicious journalists, depersonalisation is said to be the result of yoga practice in MISA.

### *DEPRESSION*

The term depression comes from the Latin word depressio, which in translation means fall. Depression is a pathological psycho-emotional state characterised by sadness, sorrow, pessimism, general disinterest, and a strange lack of inner strength. Such a person loses the power of concentration, and the drive to communicate diminishes. A state of grief settles in, which persists for long periods and is often associated with a reduction in psychomotor activity. Depression is the most common pathological mental state. It can be triggered either by failure, a seemingly irreparable loss, a state of acute or prolonged stress, unfulfillment or incapacity. The presence of such triggering factors, either in combination or even in repetition, can provide clues as to the origin of the depression. In cases of moderate depression, the human being concerned manifests either a persistent state of fear, inhibition of expression or a pessimistic attitude. In cases of severe depression, the facies even become altered and inexpressive, and the person lacks initiative.

Depending on the outward manifestation, depression is classified as agitated depression and delayed depression. The agitated depressive person is almost incessantly agitated, shivering and more often than not nervous. In contrast, the person with delayed

depression is sluggish, speaks softly, and is sometimes silent and immobile. In both cases, but especially in the latter, there is a lack of appetite, no sleep, and no erotic desires.

### *DIABOLISE (TO)*

To diabolise is the act of attributing to a person or a group of human beings diabolical qualities to the point of associating them with the principle of evil itself.

### *DIICOT*

The Directorate for the Investigation of Organised Crime and Terrorism (DIICOT) is a directorate within the Romanian Public Ministry. DIICOT was established in 2004 by Law 508/2004 with the aim of dismantling organised border and cross-border criminal groups. DIICOT investigates serious crimes, as defined by Law 39/2003 on preventing and combating organised crime. DIICOT is independent of the courts and the prosecutor's offices and in its relations with other public authorities.

### *DISCRIMINATION*

Discrimination is an action involving the different, unfair treatment of people because of their membership in a particular social group. There are many forms of discriminatory behaviour, but they all have in common the involvement of a certain form of exclusion or rejection. Most democratic countries have anti-discrimination laws, and equality of treatment is generally guaranteed by the Constitution. However, discrimination exists even in the absence of non-discrimination laws and against legislative efforts to fight against it. Among the most common forms of discrimination are discrimination on grounds of age, wealth, political beliefs, nationality, race, gender, religion, sexual orientation, etc.

### *ECHR*

The European Court of Human Rights (ECHR), often informally referred to as the Strasbourg Court, was created to systematise the procedure for human rights complaints from the member states of the Council of Europe. The Court's mission is to ensure that the provisions of the European Convention on Human Rights and its Additional Protocols are respected by the signatory states.

The system of protection of fundamental rights and freedoms introduced by the European Convention on Human Rights is based on the principle of subsidiarity. It is primarily within the competence of the state's parties to the Convention to ensure its application, and the European Court of Human Rights should only intervene when the states have failed to comply with their obligations. The control exercised in Strasbourg is activated mainly by means of personal applications, which may be filed with the Court by any natural or legal person within the jurisdiction of the state's parties to the Convention.

***EMOTION***

The term emotion comes from the Latin word emotus, the past participle of the word emoveo, made up of e, which can be translated by out and moveo, which means to move. Thus, the meaning of the term emotion is to move out, to set in motion. Emotions are meant to mobilise us to act, make decisions, avoid dangers, survive, thrive, and understand others. The dictionary defines emotion as a complex affective reaction, usually sudden and momentary, accompanied by physiological disturbances, which reflects the attitude of the being towards reality. Another definition of emotion is found in the Oxford Dictionary as any agitation or disturbance of consciousness, sentimental or passionate, any acute or tense state of consciousness.

Emotion is an intense, global reaction of the whole Microcosm of the human being, often spontaneously manifesting itself as a response to the being's confrontation with a given situation or external stimulus. Even if the emotion puts the resources of the whole being in action, the reaction it represents manifests a psycho-affective preponderance, which may be of longer or shorter duration. Emotion also represents a form of profound participation of the being in the given situation, and it always generates in the sphere of consciousness the manifestation of a certain particular meaning, characterised either by a pleasant or agreeable tonality or, on the contrary, characterised by an unpleasant or even painful dominance.

***EUROPOL***

Europol is a European organisation aimed at combating crime, based in The Hague (Netherlands). This organisation takes over the

tasks of the national police in each European country if the criminal activity goes beyond national borders. This requires a continuous exchange of information from the national to the international levels that fall within Interpol's attributions. The programme of measures to combat terrorism, radicalism, extremism, and international violence also extends to the trade of weapons, drugs, child pornography and the attempt to legalise money from illegal businesses. This organisation was initiated as early as 1993 by the Maastricht agreement but became operational in 1999. Europol is an independent organisation of the European Union with European police and legal cooperation tasks.

***FEAR***

This term comes from the Greek word phrike. A state of fear is a psychological phenomenon with a strong, intense emotional characteristic that accompanies the awareness of either real or imaginary danger or threat. Fear is an adverse emotion that is caused by the awareness of danger. Fear is a normal emotional reaction of the physical body when exposed to a real threat. Fear differs from anguish because anguish is an irrational fear, without an object, and also differs from anxiety, which does not involve a vegetative manifestation. However, to some extent, fear is tangential to fright, panic, even dismay, agitation, restlessness, worry, anguish, anxiety, horror, terror, and even metaphysical unrest.

***FREEDOM***

Freedom is the possibility to act according to one's own will or desire, the status of a person who enjoys full political and civil rights in the state where he resides, the status of one who is not subject to a master, and the status of a person who is not imprisoned or locked up. A number of freedoms are considered to be fundamental rights and are recognised by the Constitution for citizens, such as freedom of development, freedom of speech, freedom of conscience, freedom of thought, etc. Freedom is a fundamental, defining determination of human existence, an attribute of conscious behaviour, subjectively motivated by goals and aspirations, having as essential coordinates the objective necessity and laws in nature and the Macrocosm. For a long time, philosophy has interpreted in an abstract - metaphysical

way the relationship between freedom and necessity as an absolute opposition between an attribute of the Self and the apparently blind, implacable mechanism of Nature.

### *GOD*

God is endlessly the most overwhelming mystery. He is the Infinite All that always embraces everything. God is both manifested and not manifested. The glory of God is unequalled. The mysterious and all-encompassing reality that corresponds to the concept of God can only be understood in His indivisible Unity, which exists beyond the various ways that can serve His representation, according to the temporal, cyclical necessities of Manifestation. Thus, when it comes to God, the plural is not really appropriate - neither from the Hindu point of view nor from the Jewish, Christian, or Islamic point of view, as we tend to hastily imagine - and this is because, in His most intimate, essential nature, we might say, God is not only One, but He is the One without a second.

### *GURU*

In the Hindu tradition, this Sanskrit term designates the Spiritual Guide, whatever spiritual path is followed. Etymologically, this word means "the one who dispels darkness and brings light" and is sometimes also translated as master, spiritual teacher, or spiritual counsellor. In the Eastern tradition in general, but especially in India, great respect is given to the Spiritual Guide. In the modern West, however, the notion of a guru is often misunderstood. Thus, the word guru is often used in the West to designate an "expert" in a particular field or even pejoratively to suggest a sectarian context associated with fanaticism.

From a certain perspective, it can be said that for a spiritual aspirant, his Spiritual Guide is the very embodiment of the transcendent godly mystery, towards whose knowledge he must unceasingly aspire. This particular type of relationship or rapport between the Spiritual Guide and the aspirant is represented in the East, as is well known, by the guru (Spiritual Guide) and the chela (aspirant). Many Indian Spiritual Guides generally cite a simple and essential example to describe this relationship. When we arrive in a totally unknown city and are looking for a specific street, there

are two ways to proceed: we can go through all the streets one after the other until we reach the right one after a few months or a year, which with a bit of bad luck is likely to be exactly the last one, or at best we can ask a resident of the city, who will quickly and correctly show us the shortest way to reach exactly the place we want. The Spiritual Guide is, analogically speaking, precisely that knowledgeable city dweller who knows very well both all the hidden places and the pitfalls we encounter in the field of spirituality.

**HATHA YOGA**

A specific branch of the yoga system, which involves special bodily postures with complex beneficial effects (asana-s), profound relaxation (shavasana), control and rhythmicity of breathing (pranayama), fundamental purification methods (kriya), consciousness concentration methods, etc. All these concerted exercises increase vitality, ensure perfect health, and help cure various diseases. Through an adequate diet, the physical body is gradually and completely purified of various toxins. The practitioner also acquires control over consciousness in a short time and finally achieves the ultimate goal in yoga, which is Self-realisation.

Since in Sanskrit the syllable ha also means Sun (the male, active principle) and the syllable tha also means Moon (the female, passive principle), the term hatha symbolises the fundamental law of the whole universe - that of permanent interaction between two forces which are opposite in meaning but complementary: one male, solar, (+) and the other female, lunar (-). Hatha-Yoga thus enables the yogi to identify both in the microcosm of his being, as well as in the Macrocosm, the existence at all levels of the two fundamental forces (active and passive or plus and minus) and helps him to rise above duality through their perfect mastery and to reach the state of harmony and perfect balance, thus accomplishing the unity with the Supreme Godly Consciousness.

Spiritual perfection is achieved in Hatha-Yoga by going through eight successive stages: yama and niyama (each comprising five rules of conduct, both of which constitute the moral and ethical plane in yoga), asana (bodily postures), pranayama (control and rhythmicity of breathing), pratyahara (abstraction of the yogi's being from the external reality that might disturb him, through

perfect control of the five senses, which enables him to project his consciousness into other dimensions or universes), dharana (firm and steady concentration, which helps the yogi to focus his previously accumulated energies intensely only upon the support of his concentration), dhyana (profound meditation) and samadhi (godly ecstasy).

### *HEARING*

The hearing is a procedural act consisting of hearing the parties, the witness, and the expert during the trial in the manner and under the conditions prescribed by law.

### *HUMAN RIGHTS*

Human rights are fundamental, inalienable rights to which a person is inherently entitled, simply because he or she is a human being. Human rights are thus seen as universal (they apply everywhere) and equal (the same for all). These rights can exist as natural rights or as legal rights, in both national and international law. The doctrine of human rights in international practice, in international law, in global and regional institutions, in the policies of states and in the activities of non-governmental organisations has been a cornerstone of public policy around the world.

According to the Romanian Constitution, Romania is a democratic and social state governed by the rule of law, in which human dignity, the rights and freedoms of citizens, the free development of the human personality, justice and political pluralism are supreme values, in the spirit of democratic traditions of Romanian people and the ideals of December 1989 Revolution and are guaranteed. The Romanian Constitution dedicates Chapter II of "Title II. Fundamental Rights, Freedoms and Duties". As a member of the United Nations, Romania has signed the “Universal Declaration of Human Rights” and is a party to the two covenants adopted within the UN: the “International Covenant on Civil and Political Rights” and the “International Covenant on Economic, Social and Cultural Rights.” Romania has been a party to the "European Convention for the Protection of Human Rights and Fundamental Freedoms” since 1994 and is subject to the jurisdiction of the European Court of Human Rights in Strasbourg. Also, within the European Union,

Romania signed in December 2007 the Treaty of Lisbon containing the "Charter of Fundamental Rights".

A September 2015 APADOR-CH study shows that the Government (ministries, government agencies), courts and Parliament are the institutions that most often violate human rights in Romania. At a perceptual level, the same study reveals that the most discriminated categories of people are those with a sexual orientation other than heterosexual (67%), HIV infected (66%), Romani ethnicity (65%), disabled (63%) and women (50%). According to APADOR-CH the MISA association and yoga practitioners are a category of discriminated people in Romania.

***ICCJ***

The High Court of Cassation and Justice (ICCJ) is the highest judicial court in the hierarchy of courts in Romania. The ICCJ is the only supreme court operating in Romania and has the power to hear appeals in the interest of the law and to ensure the unitary interpretation and application of the law by the other courts. Until October 2003, the institution was called the Supreme Court of Justice (SCJ).

***IML***

The National Institute of Legal Medicine "Mina Minovici" (IML or INML) is a legal medicine establishment in Bucharest. Legal medicine is a medical specialty that applies the principles and methodology of the medical sciences to the legal field, being an interdisciplinary speciality situated at the border between the biological and social-legal sciences. The Institute was inaugurated in 1892 by the doctor whose name it now bears as a mark of homage. It is the first institution of its kind in Romania and the world.

***INDICTMENT***

The indictment is a procedural act by which the prosecutor orders the defendant to be brought to trial and refers the case to the court. If the legal action was not initiated during the criminal proceedings, it is initiated by an indictment. The indictment is issued when it appears from the prosecution material that the offence exists, has been committed by the defendant and that he/

she is legally liable. The indictment is confined to the offence and the person in respect of whom the criminal proceedings were brought. It shall contain the date and place of preparation, the surname, forename, and capacity of the person who drew it up, information concerning the defendant, the alleged offence, the legal framework, the evidence on which the charge is based, the preventive measure taken and its duration, the order of committal for trial, the persons to be summoned, the precautionary measures, the legal costs and the signature of the prosecutor. A single indictment shall be drawn up even if the prosecution relates to more than one act or many accused or defendants and even if the accused or defendants are dealt with differently.

***INDOCTRINATION***

Indoctrination is the inculcation, the imprinting in one's consciousness by repetition of ideas, concepts, attitudes, cognitive strategies, and professional methodologies. Used pejoratively in the language of the oppressive structures of the Securitate to designate inculcation, the spreading of ideas and knowledge not in conformity with the socialist state doctrine.

***INJURED PARTY***

An injured party is a natural (or legal) person who has suffered material or non-material damage as a result of someone else committing a crime.

***KALI YUGA***

In Sanskrit, Kali Yuga means the age (yuga) of extreme spiritual decay, darkness, ignorance, materialism, unbridled wickedness, conflicts, misunderstandings, and violence. The Sanskrit word kali (composed of two short syllables) literally means conflict, strife, decay or, in modern

language, entropy. The Hindu term yuga refers generically to the four cosmic ages. In Satya Yuga, the ideal age, the golden age of humanity, the human being knows neither hatred, envy, suffering, fear, nor danger. In Treta Yuga the spirit of justice diminishes by a quarter, and human beings begin to act self-interestedly. In the course of Dvapara Yuga, the spirit of justice is reduced by half, and

few people care to observe the truth, lower desires and diseases begin to appear, and injustice increases. During Kali Yuga, only a quarter of the original spirit of justice remains. Spiritual aspirations vanish, ancient spiritual and scientific knowledge falls into oblivion, and evil prevails almost everywhere. Countless diseases, exhaustion, hatred, hunger, fear, and despair strike human beings incessantly. People no longer have any truly important goals in life.

**KARMA YOGA**

Karma yoga is one of the four great paths of the yoga tradition. As with the other forms of yoga, the goal of aspirants following this path is to attain communion with God. The difference is that, from the very beginning, Karma Yoga can be practised continuously throughout the day and is applicable to all specific activities of the human being. The practitioners of the path of Karma Yoga do not withdraw from the world, nor do they manifest an attitude of non-action, but instead resort to integrated godly action, always engaging with detachment in all they do that is good and useful. This is why we can rightly see Karma Yoga as an instant form of yoga of everyday life. Tradition provides us with various definitions of Karma Yoga and one of the most concise is the yoga of the most profound and complete fusion with God by means of any selfless action, the fruits of which have previously been totally offered as an offering to God. In this regard, the Bhagavad Gita states that, in essence, Karma Yoga consists of consecrating to God the fruits of all inner and outer actions performed.

**KRIYA YOGA**

As a highly secretive form of yoga, the techniques of which were reserved only for a small number of adepts, Kriya Yoga is described by Paramahansa Yogananda as follows: "a psycho-physiological method which, by means of rigorous techniques, leads to phenomena of resonance between the human being (Microcosm) and the Macrocosm, which bring an immense amount of energy in the human being's universe. On a physical level, this leads to the elimination of carbon dioxide from the blood and its charging with oxygen. Thus, the yogi can slow down or even prevent the ageing of tissues by stopping the accumulation of venous blood; advanced

yogis transmute matter in increasingly refined forms of energy, such as psychic energy, mental energy, etc."

The origin of this form of yoga is lost in the mists of time, but Babaji is said to be the one who named it Kriya Yoga. Here are the words Babaji told his disciple Lahiri Mahasaya before initiating him in the mysteries of this secret form of yoga: "Kriya Yoga is the same science which, many thousands of years ago, Krishna taught to Arjuna, and which later became known to Patanjali, Jesus, St John, St Paul and other disciples".

### *MISA*

The Movement for Spiritual Integration into the Absolute is a non-governmental association, the aim of which is to promote the authentic spiritual values of the millenary yoga tradition. MISA structures the teachings of the millenary discipline of yoga on the traditional principles and methods described in ancient yogic texts by the great sages of India. MISA's objective is to embrace the essence of all these authentic spiritual teachings in a spirit of mutual understanding and acceptance, to express them in a contemporary form and thus, to create a connection between the hearts of all spiritual seekers on this planet.

MISA's spiritual mentor is Yoga Teacher Emeritus Gregorian Bivolaru. Endowed with a wealth of knowledge, which we can rightly call encyclopaedic, a wealth of practical experience and genuine pedagogical talent, Gregorian Bivolaru succeeded, after a difficult period of prohibition of all spiritual disciplines in Romania, in laying the foundations of what we now call the MISA Yoga School, which has become the largest yoga school in Europe. It was founded in 1990 as a public organisation, but it had its roots in the communist times when it was practised in small circles and did not have such a complex structure as today.

Through all its activities, MISA aims to make popular the yoga practice and the knowledge of Eastern spirituality, traditional Ayurvedic medicine, alternative medicine, Eastern philosophy and culture, Shaivism, parapsychology, astrology, alchemy, frontier sciences, religion, spiritual symbolism, esoteric sciences, etc., approaching them both theoretically and, above all, practically. MISA's objectives include collecting, translating, editing, and publishing useful information,

materials and books related to the above-mentioned fields, as well as informing those interested in these aspects by holding classes, organising lectures, symposia, workshops, seminars and spiritual camps. MISA is also concerned with carrying out research activities in the fields of yoga and Ayurveda and with the creation of spiritual establishments and research centres where these disciplines can be studied and practised. MISA supports social involvement and seeks to engage volunteers under the conditions of the law to carry out its activities and programmes. It also believes in the power of people to discover their own godly essence and aims at creating the necessary conditions for profound and genuine self-discovery.

The whole system of MISA teachings is oriented toward a profound understanding of human nature, thus recognising its vast possibilities and responsibilities as a spiritual being. The teachings are made available to students in the form of weekly classes, both theoretical and practical, taught by experienced teachers who present the ancient teachings in a modern way, adapted to the Western mentality.

Over the years, these classes have helped a large number of people to improve their lives in all aspects, maintain or regain their health, achieve a state of harmony and balance on all levels of their being, and deepen their spiritual aspects by practising yoga consistently, perseveringly, and enthusiastically. The yoga students also receive printed course materials with information presented extensively to provide the framework for in-depth study.

Since 1990, the MISA Yoga School has opened yoga classes in over 250 cities in Romania and 33 other countries, and the number of yoga supporters and practitioners who have practised or practised yoga in the framework offered by MISA is estimated at around 35,000. The yoga teachers are selected on the basis of theoretical and practical examinations and receive special training.

In addition to the weekly yoga classes, a number of other activities are carried out by MISA: publication of the magazine Yoga Magazine and a regular newsletter, publication of numerous books, presentation of public lectures, courses in Kashmir Shaivism, Ayurveda, Parapsychology, Alchemy, Enneagram, I Ching, Kalachakra, etc., organising symposia and yoga camps, exhibitions with spiritual themes and other activities aimed at awakening the

level of consciousness and developing the human being at all levels. Thus, through all its activities, programmes, writings and initiatives, MISA has established itself as a genuine spiritual movement of great scope, succeeding in providing a framework for the practice and deepening of traditional spiritual teachings, rendered in a manner accessible to modern thinking, while preserving the spiritual authority of the teachings transmitted .

***MISCONDUCT***

Misconduct is a violation of a provision laid down by law or other rules, of an administrative or disciplinary nature, which entails disciplinary or contravention penalties.

***NICHE PRESS***

Niche press is a press that is not aimed at the general public, but at a restricted readership.

***NUP***

No Prosecution Notice (NUP) is one of the solutions that a prosecutor can give to a criminal case. Other solutions may be dropping the prosecution, discontinuing it, closing the case, or referring it for trial. The prosecutor orders non-prosecution decisions by resolution or order. The committal for trial is ordered by indictment. In criminal proceedings, there is a pre-trial stage and the actual prosecution stage.

***OFFENCE***

In common speech, an offence is an illegal action, an act that presents a social danger, consisting of the culpable commission of a deviation from the penal law, which is punishable by law. Depending on the nature and degree of the harm caused, offences are classified into the following categories: light, less serious, serious, extremely serious, and most serious. The most serious offences are called crimes. It should be noted that the concept of crime in common speech does not have the same meaning as a crime in the legal sense. Thus, this category includes not only murder but also other particularly dangerous crimes that endanger great social values. For example, offences against the security of the state are included in this category. The Penal Code usually stipulates the offence and

the minimum and maximum penalty that can be imposed for its commission.

### *OVO-LACTO-VEGETARIAN DIET*

A diet that excludes meat in all its forms (meat, fish, shellfish) but generally allows the consumption of animal foods such as eggs, milk and dairy products (cheese and yoghurt).

### *PANIC*

Panic is a state of extreme fear. It is defined as an intense, sudden, violent experience, sometimes unfounded, which can trigger a state of terror. Medical statistics show that about 5% of the world's population suffers at least one panic attack in their lifetime. A panic attack is a state of intense fear that occurs suddenly in non-life-threatening situations, causing a rapid heart rate, rapid and short breaths, loss of control and a strange sense of impending death. A panic attack is often mistaken for a heart attack. Panic attacks have been classified by medical research as one of the most intensely distressing and even uncomfortable fear-inducing experiences that occur in a human being's life.

### *PARCHET (PROSECUTOR'S OFFICE)*

In the Romanian legal system, there is a prosecutor's office at each court of appeal, tribunal, juvenile and family court and court, but only the prosecutor's offices in the courts of appeal and tribunals have legal personality. The current prosecutor's offices correspond to the pre-1989 prosecution offices. The prosecutor's offices of the courts of appeal and courts of law have sections in which services and offices can operate, and those of the courts of appeal also have a juvenile and family section. Prosecutor's offices at the courts of appeal are headed by General Prosecutors, and those at courts, juvenile and family courts and judges are headed by First Prosecutors. Depending on the workload, the law allows the General Prosecutor to be assisted by 1-3 deputies, as necessary. The General Prosecutors of the prosecutor's offices of the courts of appeal and the First Prosecutors of the prosecutor's offices of the courts also exercise coordination and control functions over the administration of the prosecutor's office where they work, as

well as over the prosecutor's offices of their subordinate and district offices. The First Public Prosecutors of the juvenile and family courts and the First Public Prosecutors of the prosecutor's offices attached to the courts shall exercise the powers of administration of the prosecutor's office. The sections, departments and offices of the prosecutors' offices are headed by Chief Prosecutors. The head of each prosecutor's office assigns prosecutors to sections, departments and offices according to their training, specialisation and aptitude. The prosecutor's offices have management colleges that advise on general prosecutorial management issues.

### *POLITICAL ASYLUM*

Political asylum is the act of granting by a state the right of entry and residence on its territory to a foreigner, persecuted in their country for their political beliefs, i.e., the status that a foreign citizen may receive if they risk discriminatory or even inhumane treatment in their country, because of their political beliefs.

The concept of political asylum can also be defined as a legal institution under international law, designed to ensure respect for fundamental human rights by providing the legal conditions for settlement in the territory of another state and enjoying rights and obligations, in accordance with the domestic rules of that state, where such rights cannot be enjoyed in the country of origin or residence because of political persecution.

### *POLITICAL DISSIDENT*

The term dissident has ancient roots both in the Latin dissidentia, which means disagreement, an opposition between various existing things and in the verb dissideo, which means to disagree, to fail to understand reciprocally, to rebel, to differ, to be different from something. A dissident is a person who makes public his or her opinions, views or beliefs, including political or doctrinal ones, which differ from the community, organisation, etc., to which he or she belongs or from the majority. Today, the term political dissident is mainly used to designate people with opinions opposed to those of a totalitarian regime, who become its opponents. This political meaning began to be used in the 1940s in connection with the proliferation of totalitarian systems, particularly with reference to

the Soviet Union. The Sociologist Norman Goodman believes that one of the seven main coordinates of a democratic state is also tolerance of reasonable dissent. In this case, there is a right to an opinion, and those who are not in consensus with the majority are not stigmatised or considered destructive.

### *PROSECUTOR*

The prosecutor is a magistrate, the public prosecutor in a trial, being a representative of the prosecution or the public prosecutor's office at the trial. He/she supervises the fair application of the law and represents the interests of the state in a trial. In Romania the prosecutor is a member of a prosecutor's office at a court of appeal (Parchet), which exercises the following duties: carries out criminal prosecution in the cases and under the conditions provided by law; directs, coordinates and supervises the criminal investigation activity of other criminal investigation bodies; refers criminal cases to the courts; exercises civil action, in the cases provided for by law; participates in court hearings; may appeal against court decisions; defends the rights and legitimate interests of minors, persons under interdiction, missing persons and other persons, under the conditions provided for by law; acts to prevent and combat crime under the coordination of the Minister of Justice.

### *PURANA*

The Puranas are ancient collections of parables and spiritual teachings, traditional Hindu symbolic writings that make the knowledge of Vedic wisdom much more accessible. The myths and stories of the Purana-s are still to this day an immense wealth of spiritual information, rendered in a symbolic or allegorical form for all to understand.

### *QI GONG*

Qi gong is an ancient Chinese system of cultivating health, vitality and longevity, as well as spiritual evolution. Based on the classical principles of Taoism, Qi gong offers a path of self-cultivation that involves harmony between all levels of the human being (physical, mental and spiritual), harmony with nature and constant, natural

progress, avoiding the excesses and injuries possible in other physical disciplines and, at the same time, avoiding the withdrawal from the world characteristic of other spiritual paths.

### *RAID*

A raid is the act of a prosecuting authority going to the scene of a suspected crime to make findings and gather evidence.

### *SCOPOLAMINE*

Scopolamine, or "devil's breath", is a drug that overrides the will of the one who consumes it, the being in question becoming, shortly after administration, a docile person who mechanically follows whatever orders he/she receives. Scopolamine has a selective effect on memory, even though brain functions such as planning and information manipulation remain unaffected. Those taking the drug remain cognitively active but are unable to retain information because scopolamine blocks the release of acetylcholine, an organic chemical substance secreted by nerve fibre endings that is essential for optimal brain function. Scopolamine also affects the functioning of the cerebral amygdala, an area of the brain that controls aggression and anxiety. This explains the calming effect the drug has. The effects of this substance are passivity, submissiveness, loss of will, disorientation and changes in consciousness, memory, language, perception and behaviour. Some of the secondary consequences, such as suicidal thoughts and psychotic behaviour, occur after taking this substance. Overdose causes death.

Scopolamine has also been called the "zombie drug". Those who use it appear to function normally and consciously, but people will often be unable to completely remember what they did. For this reason, this drug has been used in robberies, kidnappings and rapes. People on this drug will do whatever they are told. Shocking stories made public by some brave journalists tell of people who have been raped, who have willingly given their attacker all the money they had in the bank or even donated an organ.

### *SEARCH*

A search is a procedural activity carried out by the prosecuting authorities or the court for the purpose of discovering objects,

documents or other evidence that may lead to the completion of the investigation, which are concealed by the authorities in action and which, if discovered, would contribute to the discovery of the truth in a criminal case and to the resolution of the trial, i.e. the case file in the present court action. The search, depending on its connection with the conduct of criminal proceedings, may be judicial (house search, bodily search, vehicle search and computer search) and extrajudicial (customs search, search carried out when entering a public institution, airport, sports complex, etc.). The search is carried out by the prosecutor or the criminal investigation body, accompanied, where appropriate, by operational officers. If necessary, the judicial authorities may restrict the freedom of movement of persons present at the scene or the access of other persons to the place where the search is carried out during the search. Before the search begins, the judicial body shall identify itself and hand over a copy of the warrant issued by the judge to the person to be searched, to his representative or to a member of his family, and failing to do that, to any other person with full legal capacity who knows the person to be searched and, where appropriate, to the custodian.

**SECT**

Etymologically speaking, the word sect comes from the Latin word secta secui, which in translation means to follow, to walk in the footsteps of someone, and also the Latin word secare, in translation meaning to cut. Generally speaking, a sect is a group that has split off from a particular religion or cult. According to the definition provided by the Larousse encyclopaedic dictionary, the word sect is explained as follows: "A group of persons adhering to the same doctrine, i.e. the sect of Epicurus or a group of persons who have attached themselves to a religious community, i.e. the Adventist sect."

The Romanian dictionary defines the word sect as follows: "A religious community that is detached from the respective official church. A closed group made up of adherents of a doctrine that may sometimes be a philosophical doctrine". At present, the word “sect” is quite controversial. Attempts are being made to redefine it in so-called scientific terms in order to include under this sui-generis "hat" the various disturbing groups or religions that are officially recognised. Although the term originally referred to groups with their

own ideology, without any negative, contemptuous connotations, today (especially in common speech), the word has a clearly negative meaning, designating certain closed, isolated religious groups characterised by fanaticism and extremism, in which the followers of that sect are controlled and enslaved by a dominant leader. This meaning has become prevalent because of dramatic cases in relatively recent history that have been excessively presented in the media. In common speech, the sect has a negative, derogatory connotation, indicating a “deviation" with a religious underpinning, and the word sectarian denotes a downgraded, rudimentary, dependent and manipulated person. According to its definition, a sect is a group of a restricted nature that isolates itself ideologically or even physically from the religion from which it originates or isolates itself even from society. The sect is closely linked to a particular space-time and cultural-religious conjuncture. The sectarian phenomenon itself is very old - it can be said that the sects existed since religions existed. The renowned sociologist of religions, Émile Poulat, wrote: "Sect is a trap word, and he who is in it is socially trapped. Any group is liable to be caught up in it one day or another. If we look at it from the point of view of its declared opponents: secularists, anti-clericals, militant atheists, the Church is in reality nothing more than a sect that has managed to impose itself."

In the case of any sect, the prevailing tendency is the contraction of consciousness and closure. Nowadays, the term “sectarian” has become a synonym for narrow-minded, exclusivist, and limited. This closure manifests itself both at the group and individual levels within a sect. Examples include the suicidal “People's Temple” sect of the American Jim Jones, the “Ananda Marga” sect, which has some neo-Nazi implications, and the “Jehovah's Witnesses" sect, which has a pronounced anarchic character.

**SECURITATE**

The State Security Department (commonly known as Securitate) was the name given to the Romanian Intelligence Service during the communist regime. For most of its existence, it was under the administrative subordination of the Ministry of Internal Affairs. As an instrument of the Romanian Communist Party, whose directives it carried out, the Securitate played a leading role in maintaining

a climate of terror and was guilty of countless crimes and human rights violations. Until the mid-1960s, the Securitate helped to sovietise Romania and then to keep the Communist regime in power. A formidable system of surveillance and repression was developed for these purposes. The instruments of the Securitate included, especially during the Stalinist period, midnight arrests, beatings, torture and rape of detained girls and women. The Securitate Investigation Directorate had agents and informers at every level of party and government structures and in society to report any anti-regime activities or opinions. It carried out illegal searches of institutions and homes, arresting the Ceaușescu's regime opponents. The agents frequently used force to compel dissidents to denounce their compatriots and their activities. According to prominent dissidents, due to the influence of the Securitate on judges and prosecutors, no opponent has ever been acquitted by a court. The Investigation Directorate worked in cooperation with the Surveillance Directorate and the Directorate for Censorship of Correspondence.

After the 1989 revolution, the fate of the Securitate archives was highly controversial, and today, most of the files and documents can be consulted and studied in the National Council for the Study of the Securitate Archives. The Securitate was officially established on 28 August 1948. The role of the Securitate was "to defend the democratic conquests and ensure the security of the Romanian People's Republic against the instigations of internal and external enemies". The Securitate organs were also "the only ones empowered to prosecute crimes that endanger the democratic regime and the security of the people". On 30 December 1989, the Council of the National Salvation Front decided to abolish the State Security Department.

## SINCERITY

The term sincerity comes from the Latin word sinceritas and, in translation, means the absence of pretence or cunning, frankness, loyalty. According to the Oxford Dictionary, the word sincerity comes from the Latin word sincerus, which means clean, pure, unblemished, and without fault. According to a popular etymology, the word sincerus is derived from the Latin words sine, meaning without and cera, wax in translation. According to some popular explanation, dishonest sculptors in Rome and Greece used to cover with wax some

defects in their works to mislead the viewers. Therefore, a sculpture "without wax" would mean honesty in its perfection.

Honesty is generally considered to be the expression of truth in word and deed. A sincere man is one who believes fully in what he says. Honesty has not always been seen as a virtue in Western culture. First addressed by the philosopher Aristotle in his Nicomachean Ethics, the notion of sincerity then resurfaced as an ideal, even a virtue, in Europe and North America in the 17th century and gained considerable momentum during the Romantic movement, when sincerity was celebrated as both an artistic ideal and a desideratum in human relations. Sincerity, however, also implies a state of exemplary courage because when we are completely and exemplarily sincere, we cancel out the apparent protection that our ego offers us. When our sincerity reaches a certain degree and the courage we need to be able to manifest it every time is proportionately dynamised, even amplified, all this generates in our being an evident state of transparency towards the pure light of Godly Consciousness which is bestowed upon us and floods not only the microcosm of our being but also our entire existence.

In its mysterious reality, sincerity is a Godly Attribute characterised by a subtle, sublime energy that has a frequency of vibration that never modifies. The subtle, sublime energy of Sincerity comes from God and is endless. When we are truly sincere either with others or with ourselves, we enter a state of occult resonance with the energy of Sincerity, and thereby we become deified. In this way, we can realise that the states of sincerity have a great value and transform us inwardly. By means of perfect and exemplary sincerity, we can truly bring to the surface of consciousness certain obvious aspects that we need to transform. In this way, a state of increased efficiency in our creative efforts can emerge more quickly. Perfect and constant inner sincerity is, therefore, one of the important qualities that are always necessary for the aspirant to cultivate, an aspirant who is already seeking to transform himself/herself in an eminently beneficial and profound way.

### *SLANDER*

Slander consists, essentially speaking, of false and untrue statements referring to facts that are wrongly attributed to another person and intended to destroy their reputation and honour. The

term is synonymous with defamation. The slanderer thus accuses another person by telling lies and stating facts that are not true at all and which are not based on anything real but which are nevertheless presented in this way. By its very nature, slander is diabolical.

Slander was criminalised in Romania under Article 225 of the Penal Code until 2006, being defined as "the assertion or imputation in public, by any means, of a specific fact concerning a person, which, if true, would expose that person to criminal, administrative or disciplinary sanction, or to public contempt". The provisions of this article were repealed by Article I, paragraph 56 of Law No 278/2006, amending and supplementing the Penal Code on the grounds that it would significantly affect a person's freedom of expression, that the application of a criminal penalty is clearly disproportionate to the aim of punishing such acts and that the injured person has the possibility of obtaining compensation for the damage suffered through civil proceedings.

**SRI**

The Romanian Intelligence Service (SRI) was established on 26 March 1990 and is one of the Romanian Secret Services, together with the Foreign Intelligence Service. It is an authority that deals with the collection and valorisation of intelligence exclusively on Romanian territory.

**STIGMATISE**

To stigmatise means to cast public contempt on someone or something, condemn severely, criticise, or dishonour. Originally, the term referred to the action of applying (with red-hot iron) the stigma to the body of slaves or delinquents.

**SUBLIMATION**

The term sublimation comes from the Latin word sublimare, which in translation means to elevate, to exalt or to sublimate. In alchemy, sublimation describes the purification of a solid body, which is transformed into vapours by a heating process. In this way, sublimation can even lead to volatilisation. In chemistry, sublimation indicates the transition of a body from the solid state to the gaseous state without the body also passing through the liquid state.

The term sublimation often indicates an action that is firmly intentional, involving the moral, intellectual or even spiritual elevation of a certain experience that was originally ordinary or common. In this way, through a powerful overall intention but also through an impetuous aspiration, there is a clear transformation of certain inner drives so that these inner drives finally confer a certain satisfaction, a strong state of fulfilment. All these manifest in an indirect way, and the great subtle energy that is thus channelled and accumulated can then be used in clearly superior, beneficial ways, including artistic or spiritual ones.

For yogis, sublimation is the process of inner ascension of the energy resulting from biological transmutation to the higher levels of being. The movement of energy from one centre of force to another results in a change in its vibrational frequency, causing specific effects at each level. Through sublimation, amorous erotic energies are redirected to other planes of the being (vital, psychic, mental or spiritual).

### *SUFFERING*

Suffering is a physical, psychological, mental or moral pain that is both lasting and very intense. In other words, suffering is a psycho-mental state experienced by every human being who is subjected to prolonged mental or psychological pain. Long considered to be the prerogative of man, suffering has now been shown to exist even in animals.

### TANTRA YOGA

Literally, the Sanskrit word tantra means weaving, network, relationship, and gathering. Thousands of years old, Tantra Yoga is a wise synthesis of yogic tradition and science that seeks to link ineffably, in perfect harmony, the bodily states with certain metaphysical experiences that only a fully conscious and initiated human being can achieve. The tantric practice offers the yogi an astonishing range of modalities to help him reach balance and harmony with the Universe, using the very conditions that everyday life has in store for him. In the tantric practice, the potential of the procreative substance, the transmuted amorous erotic energy, when successfully used in a superior way through sublimation, becomes an

extremely important force that can rapidly lead to an extraordinary transformation of the human being. All this can be achieved by a human being who, while remaining abstinent, practices alone, or it can be experienced in a loving couple manifesting full of tenderness, in which amorous erotic continence and superior sublimation of the resulting energies are constantly pursued. The correct application of these precepts, emerging from the millenary wisdom of the East, gradually leads to an elevation and amplification of experiences in the case of consciously controlled erotic union, from a process governed by instinct to a genuine spiritual experience in which the couple feels in unison the infinitely nuanced oceanic happiness. This extraordinary state is often referred to as ananda (cosmic bliss or ecstasy) in fundamental yoga texts.

Beyond the aberrations that the ignorant and malicious claim, Tantra is a life lived fully and superiorly. Correctly practised, Tantra is a balanced life and consciousness in harmony with what arises spontaneously at any time. Tantra Yoga is practised all over the world by people with spiritual aspirations, simply and in a transfiguring state of reverence for All That Is.

**TATTVA**

The term tattva comes from the root tat, which means "that" or "that which is". Whatever the word tattva refers to is considered primordial, as unity. Tattva means to be that which is. Often, the term is translated as the principle of reality. In the yoga tradition, tattva is a specific modality of subtle existence, characterised by a certain frequency of vibration, which causes it to be considered a distinct manifestation. Tattva is a category of macrocosmic existence that is also present, in a certain proportion (which differs from one being to another), in the microcosm of the human being. This proportion may remain constant or may be amplified by means of occult resonance phenomena that are established between the respective tattva in the human being and the corresponding tattva in the Macrocosm, thus generating a relatively constant predominance. Due to the predominance of one of the five tattva-s (earth, water, fire, air, ether) in the human being, he/she will automatically be characterised by a certain level of consciousness, which defines him/her as a specific frequency of vibration, as a way of feeling, reacting, thinking, acting, etc. Whether the human being

practices yoga or not, he/she will always have a predominance of a certain sense, which allows him/her to discover which one of the five fundamental tattva-s is predominant in him/her.

Those who know these notions can use them both for self-discovery and self-improvement through yoga methods, as well as to better know and understand other people (who may not practice yoga) with whom they come in contact. In some complex cases, we may discover both in ourselves and in others that it is possible for two, three or even four tattva-ic preponderances to manifest almost equally.

### *TORTURER*

The torturer is the person who applies and executes torture. The person who tortures, who maimed in communist prisons.

### *TRANSMUTATION*

Transmutation is a transformation accompanied by an enormous release of energy from one chemical element into another through a new arrangement of the constituent elements into atoms, achieved by natural radioactive disintegration or by nuclear reactions possible under certain conditions, even in the biological sphere at low temperatures. Biological transmutation at low temperatures is an astonishing reality. In the human being, the processes of atomic transmutation at low temperatures occur continuously, more or less intensely, within the framework of metabolism, sexual processes, erotic experiences, affective states, psycho-mental activity, and spiritual experiences. Countless experiences have shown that the entire physical body of the human being is a genuine atomic micro-plant in which, through transmutation at low temperatures, chemical elements that the body needs are produced discreetly. Simultaneously, following this process, enormous energies are generated, which make possible an unsuspected range of extraordinary phenomena such as the manifestation of paranormal abilities, the emergence of higher states of consciousness, triggering and fuelling the sublimation phenomena of certain energies, the amplification of intelligence, constant euphoric affective tone, happiness, etc. The biological engineer L. Kervran confirmed for the first time through a series of epochal experiments the undeniable reality of atomic-biological transmutation processes at low temperatures. According to his experimental demonstrations,

these transmutations occur continuously in the structures of both plant and animal living matter, with huge, slow releases of energy within the framework of specific metabolisms.

### *TRUTH*

The word “truth” comes from the Latin word “veritas”. In Greek, the word “truth” is translated as “aletheia” (which can be translated as “that which is not hidden”). Truth is the property of a statement or sentence which consists in or highlights its correspondence to reality. Truth affirms or highlights a correspondence or a certain mirroring that makes knowledge possible. The knowledge of truth always highlights a certain process of entering into a state of occult resonance between a thing or a being and the consciousness of the one who mirrors reality, thus discovering in his inner universe what the Truth is about a certain thing or a certain being.

### *UM 0215*

UM 0215 was a protection service of the Ministry of the Interior, established on 1 February 1990. It was originally called the Special Intelligence Directorate and was directly subordinated to the Minister of the Interior. In May 1998, the Supreme Council of National Defence (CSAT) decided to disband UM 0215 because the unit had taken in former political police officers from before December 1989, and the service had exceeded its legal attributions. The work of UM 0215 was classified by CSAT members as a disguised form of political police. Between 1990 and 1996, the press accused UM 0215 of countless diversionary actions and involvement in actions against the opposition. "Two and a Quarter," as the unit was called, collaborated substantially with the miners in June 1990, when the operation to "clean up" the big demonstration in University Square was conceived. At the time of its disbanding, UM 0215 employed 1,300 people. From UM 0215, two units were born: the Protection Service of the Ministry of Interior and the General Directorate of Criminal Investigation of the General Inspectorate of the Romanian Police.

### *UM 0962*

UM 0962, or the Department of Intelligence and Internal Protection (DIPI), was a Romanian Ministry of Internal Affairs (MAI) service

reorganised in 2016 into the General Directorate of Intelligence and Internal Protection. It is the successor of the former "Two and a Quarter" (named after the name of the former intelligence unit of the Interior, UM 0215), the secret service of the Ministry of Interior, which was disbanded during the term of Romanian President Emil Constantinescu (1996-2000).

The General Directorate of Intelligence and Protection of the Ministry of Interior - UM 0962 - came into being in April 1999. In October 1999, the Intelligence Division, which had previously been missing from the organisation chart, was created within UM 0962. From a strictly specialised service of a ministry, UM 0962 was transformed into a fully-fledged secret service and broke the SRI monopoly on the intelligence market. In 2001, Prime Minister Adrian Năstase issued an ordinance authorising UM 0962 to use "specific technical means" to obtain information. By an emergency ordinance on 23 December 2012, the head of the General Directorate of Intelligence and Internal Protection and his deputies were appointed by the prime minister's decision, not by order of the minister in charge.

In 2013, the General Directorate of Intelligence and Internal Protection was reorganised by establishing the Department of Intelligence and Internal Protection. On 2 November 2016, the government led by Prime Minister Dacian Cioloș abolished this service and set up the General Directorate of Internal Protection, with the new structure to be placed under parliamentary control because this structure "has lost a lot of credibility both externally and internally".

### *URINE THERAPY*

Urine therapy is an ancient Tantric practice (described in the ancient text Damar Tantra) that involves - under very clearly specified conditions, completely clean and absolutely safe for health - the ingestion of part of one's own urine, with beneficial effects for health. The defamation of yogis by the media has been spearheaded by the pretext of urine therapy, which has been invoked ad nauseam as a sign of the alleged moral degradation of its practitioners.

### *WILLPOWER*

Willpower is an aspect of consciousness (connected with the subtle force centre ajna chakra) that controls the human psyche

and manifests through conscious actions directed towards the realisation of goals that are elaborated in advance in the sphere of consciousness. Willpower is a character trait that expresses the ability to make firm decisions and perseverance in overcoming obstacles. Willpower requires a (proportional) psycho-mental effort, which is all the more intense, the greater the difficulties to be overcome to achieve the goal. As a psychological process, willpower also interacts with cognitive and affective psychological processes, with acts of willpower representing the manifestation of human thoughts and feelings in human actions.

Although man's acts of will depend on his ideas, his own decisions, and his psychological motivation, they are ultimately determined by his own karma, his specific conditions of life, his level of education, and the predominant influence on him of the human relations in the community in which he lives and manifests himself. Willpower is an important capacity that engages the psychomental power and makes it possible to carry out all aspects of the psychological processes of activity. Willpower brings into action a system of higher self-regulation involving deliberation, purpose, and consciously elaborated plan, organisation of one's own forces by controlling some of them and mobilising and convergently committing others to a certain finality. In the yoga system's view, the higher will has its source in the subtle sheath of the human being known as vijnanamaya kosha, which is the subtle vehicle of supramental intelligence, called buddhi by some Eastern schools. The main distinguishing features of willpower are the intended goal (conscious), the specific effort (voluntary), and the behaviour of overcoming obstacles. Willpower is a level of self-organisation and self-regulation of consciousness that is higher than that of affectivity. Voluntary activation results from a transformation and overcoming of affectivity.

**WITNESS**

In legal terms, a witness is a person who has knowledge of a fact or circumstance that may help establish the truth in a legal case and who may be heard for this purpose by the judicial authorities. A witness called to testify what he/she knows cannot refuse to testify unless the law permits it. The spouse and close relatives of the accused or defendant are not obliged to testify. Likewise, a

person bound by professional secrecy may not be heard as a witness concerning facts and circumstances of which he has become aware in the exercise of his profession without the consent of the person or the establishment in respect of which he is bound by secrecy. The minor may be heard as a witness, but up to the age of 14, the hearing shall be conducted in the presence of a parent, guardian or the person to whom the minor is entrusted for his upbringing and education. The person summoned as a witness is obliged to appear at the place, date and time indicated in the summons and is obliged to state everything he/she knows about the facts of the case. Before being heard, the witness shall take an oath.

**YANTRA**

In Sanskrit, the term yantra means outer support or secret instrument of telepathic communion and spiritual connection. Yantra is a simple geometric diagram in which the essential, symbolic characteristics of a godly aspect are synthesised. Yantra can be used as meditation support. Visual concentration on a yantra develops the power of concentration of attention and enables all evils resulting from harmful desires, anger, or other defects to be gradually overcome.

**YOGA**

The term yoga in Sanskrit means communion, melting, and ineffable fusion. Yoga is a traditional science of the East, the form of which we know today emerged around the 1st century BC, based on multi-millenary wisdom traditions, which are themselves based on godly revelation and which aim to harmoniously integrate the human being in the universe. More famous than understood, Yoga is and remains a set of systematic millenary methods aimed at the definitive spiritual liberation of the human being. Known in the West in vulgarised and sometimes degraded forms, yoga is an extremely rigorous spiritual discipline. A text of Eastern wisdom, the Ishvara Gita, states regarding this: "Through yoga ultimate knowledge arises, and from higher knowledge yoga arises. For that who has yoga at his disposal and the knowledge it makes possible, there is nothing else to be desired".

For most people, yoga is the strange practice of focusing your attention, looking at your navel, and controlling your breathing. In

this sense, the performances of some fakirs fall into the category of the spectacular: limb contortion, trance, apparent death, levitation, telepathy, walking on fire, and so on. For genuine connoisseurs, the issue is much more serious, as yoga is credited as a precise and rigorous discipline integrating all aspects of being (physical, vital-emotional, psychomental, supramental, and spiritual) that goes beyond the stereotype of performance. As for the origins of the Yoga system, they are lost in the mists of time. As early as the 3rd century, the famous text Philosophoumena by St Hippolytus mentions a certain category of wandering ascetics (yogis) - gymnosophists, as they are called there (gymnos in Greek means naked and sophos means wise). Then, as now, they spent their lives naked, believing that God had created their bodies as the garment of the Spirit. According to them, God is Light, not as the Sun or as fire, but as the Supreme Infinite Utterance, whose knowledge He reveals to the wise so that they may penetrate the ultimate mysteries of Nature and the Universe. In their view, the spiritual Light is a mysterious utterance, and they claim to know it intimately because they renounced the vain self-opinion and ego, which is the last veil of the Spirit. For them, all the limbs and organs of the body are equally important, so they have no reason to assign them a moral hierarchy when none of them constitutes corpus delictus.

Anyone who practices yoga - and anyone can do it, regardless of gender, religion, or social position - is primarily seeking to progressively purify their consciousness of its bodily bonds and to attain knowledge and communion with God, the paranormal powers appearing only as a confirmation of spiritual realisation. The Yogi prepares himself by control, detachment and transcending all limitations, time, and space for the attainment, by God's Grace, of spiritual Enlightenment and Salvation.

Through yoga, everything is possible, but not everything is permitted. The yogi atones for and annihilates in one lifetime all the faults, or in other words, the sins committed by the soul in previous incarnations. A text of yogic wisdom says: "*The fire set by assiduous yoga practice quickly and completely burns away this cage of ignorance, which is evil. Then clear knowledge is revealed, which enables us to easily achieve the state of samadhi or godly ecstasy.*"

Until 2004, I was an adolescent like all the others. Since then, my life has become a horror movie directed by the authorities. While everything around me seemed chaotic, lacking meaning and direction, the questions: “Why?”, “Why me?”, “Why all of this?” were born in me and then continued to appear like a recurring theme. These questions led me towards the cruel and harsh exit from the sweet ignorance of childhood. I sought to understand and update myself. I found out that, in fact, I was an unwillingly pawn in a much larger plot, which aimed at the destruction of the MISA Yoga School and the imprisonment, at any cost, of Gregorian Bivolaru.

Only now, after years and years of persecutions, mockery, dishonour, humiliation, abuse, threat, violence, calumny, harassment, fear, shame, insomnia, depression, and profoundly traumatising suffering, do I truly feel completely free to express myself. I dare to unmask all the hardship and injustice that I endured from the Romanian State authorities and mass media.