

Dear Petitioner,

Thank you for your open letter. In your letter you bring to the attention of the Commission your concerns with regard to recent developments pertaining to the Commission's recommendations in its July 2012 Cooperation and Verification Mechanism ("CVM") report.


The Commission adopted its latest report on Romania on 30 January 2013<sup>1</sup>, in which it found that Romania has implemented several but not all of its recommendations. While the respect for the Constitution and the decisions of the Constitutional Court have been restored, the lack of respect for the independence of the judiciary and the instability faced by judicial institutions remain a source of concern. The report sets out the key developments over the past six months in reform of the judicial system and steps against corruption, noting the resilience of the courts and the anti-corruption institutions in difficult circumstances.

With regard to the concerns raised in your email, the Commission in its recommendations of the January 2013 CVM report stated that it expects the new government to introduce a clear framework of requirements in order to refrain from discrediting judicial decisions and undermining or putting pressure on magistrates. This is intended to reinforce the position of the Superior Council of Magistracy and strengthen the respect for the rule of law and separation of powers. The Commission also noted some concerns with regard to parliamentary immunity procedures, and endorsed the role of the National Integrity Agency as sole authority tasked with the verification of potential incompatibilities of elected and appointed officials. It also recommended that Parliament provides a full justification in instances where it refuses to lift immunity of parliamentarians and former Ministers. The Commission acknowledged the appointment of the new Ombudsman and urged it to show uncontested authority, integrity and independence, and above all a non-partisan approach.

The Commission will monitor developments closely and adopt a further report on the reform process before the end of this year.

Thank you once again for your views on the situation in Romania.

Yours faithfully,

  
Emmanuel Crabit

---

<sup>1</sup> Available at: [http://ec.europa.eu/cvm/progress\\_reports\\_en.htm](http://ec.europa.eu/cvm/progress_reports_en.htm)