



EUROPEAN COMMISSION

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Dear President,

The Commission would like to thank the Camera Deputaților for its Opinion concerning the Commission's Communications "The EU Justice Agenda for 2020 – Strengthening Trust, Mobility and Growth within the Union" {COM(2014) 144 final} and "An open and secure Europe: making it happen" {COM(2014) 154 final}.

The Commission welcomes that the Camera Deputaților supports the Commission's approach to strengthen the existing acquis in the area of justice, freedom and security and its efforts to implement the existing instruments before the identification and implementation of new solutions and strategies. The Commission also appreciates that the Camera Deputaților shares the view expressed in the two Communications that emphasis should be laid on the implementation and effective application of already existing EU legislation and of the consolidation of the progress made.

The Commission thanks the Camera Deputaților for considering the above two Communications as appropriate and objective and as representing a vision that will enable further progress towards the creation of a fully functioning common European area of justice by 2020 and the strengthening of an open and secure Europe.

The Commission welcomes the importance that the Camera Deputaților dedicates to the protection of fundamental rights and notes its emphasis on good cooperation between different levels of authority in this context.

The Commission notes the views of the Camera Deputaților with regard to institutional changes such as eliminating the exemptions to use the ordinary legislative procedure and the opt-outs.

Regarding the Camera Deputaților's call for the inclusion within the legal framework of the Lisbon Treaty of cross border police cooperation instruments adopted under the third pillar, the Commission underlines that 1 December 2014 marked the end of the transitional phase established by the Lisbon Treaty over the areas of police cooperation and judicial cooperation in criminal matters; from that moment the Commission is entitled to launch infringement proceedings against those Member States which have not implemented the acts

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*adopted under the former 'third pillar' and the Court of Justice has full competence over these instruments. The Commission will exercise its powers as appropriate to ensure, in close cooperation with the Member States, that the *acquis* is fully implemented.*

Concerning the Camera Deputaţilor's view regarding the application of “minimum standards”, the Commission notes that, as expressed in its Communication “The EU Justice Agenda”, it believes that, for example, in the area of criminal justice, mutual trust between Member States has been strengthened by progressively establishing, throughout the EU, a set of fair trial rights by means of common, EU-wide, minimum standards to protect persons suspected or accused of a crime. As regards the relation between “legislative harmonisation” and “mutual recognition”, the Commission is of the opinion that both instruments have their merits in their fields of application.

The Commission takes note of the Camera Deputaţilor's views on the cooperation and verification mechanism with respect to Romania and Bulgaria and stresses that this mechanism will continue to be applied until all the benchmarks have been met.

The Commission welcomes that the Camera Deputaţilor supports the Commission's efforts for European Judicial training of all legal professions, its awareness of Roma discrimination and its support as regards the Commission's view as expressed in the “EU Justice Agenda” concerning the contribution that justice policy can have to support economic recovery, growth and the fight against unemployment. The Commission concurs with the Camera Deputaţilor that the EU policies in the areas of security and justice should continue to support economic recovery and growth.

The Commission shares the Camera Deputaţilor's view regarding the importance of the right to free movement and also considers the proper functioning of the Schengen area as a major priority, and will ensure the new Schengen evaluation mechanism is properly implemented.

The Commission agrees there is a need to keep up efforts to prevent and fight organised and serious international crime, notably in the framework of the EU ‘policy cycle’ and making full use of EUROPOL's and CEPOL's support to cross-border law enforcement activities. It welcomes the recommendation by the Camera Deputaţilor to intensify the actions of the European Union on the confiscation and recovery of criminal assets, in order to combat effectively organised criminal groups and prevent their infiltration in the legal economy.

The Commission fully shares the views expressed by the Camera Deputaţilor on the need to enhance the work of the prevention of radicalisation to better prevent and combat terrorism. Recent events have shown once again how important this is, along with making best use of the whole existing set of legislative and operational tools in the fight against terrorism. It also welcomes the emphasis put by the Camera Deputaţilor on the importance to crack down trafficking in human beings and shares its views on the need to further develop assistance to the victims.

Further measures will be considered in the preparations of European Agenda on Security as envisaged by the Commission's Work Programme for 2015.

As regards migration policies, the Commission had emphasised in its Communication on "An open and secure Europe: making it happen" the need to maximise the benefits of legal migration. In that context it welcomes the support given by the Camera Deputaţilor to launching dialogues on labour migration needs with Member States, business and trade unions. The Commission also shares the views of the Camera Deputaţilor on the need to take further actions to prevent irregular migration. This would also include intensifying the fight against smuggling networks.

The Commission also notes its support, as regards future development in the field of asylum, to the proposals made by the Commission in its Communication {COM (2014) 154 final}.

Further measures will be considered in the preparations of European Agenda on Migration as envisaged by the Commission's Work Programme for 2015.

Finally, the Commission subscribes to the Camera Deputaţilor's appreciation that an effective, accessible and fair justice system which is consistent with fundamental rights is a solid foundation of democracy, promotes mutual trust and the wellbeing of citizens, and the prosperity of the economy.

The Commission hopes that these clarifications address the issues raised by the Camera Deputaţilor and looks forward to continuing our political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*