



## EUROPEAN COMMISSION

Brussels, 24.06.2015  
C(2015) 4268 final

*Dear President,*

*The Commission would like to thank the Camera Deputaților for its Opinion concerning the Commission's Communication to the European Parliament and the Council on a new EU Framework to Strengthen the Rule of Law {COM(2014) 158 final}.*

*President Juncker expressed in his Political Guidelines the determination of the Commission to make use of its prerogatives to uphold, within its field of competence, the shared values of the EU, the rule of law and fundamental rights, while taking due account of the diversity of constitutional and cultural traditions of the 28 Member States.*

*In recent years the Commission has at several occasions taken action to uphold the rule of law in Member States. The Commission has done so either by exerting political pressure or, where possible, with infringement proceedings, and the Commission has achieved results in upholding or restoring the rule of law. However, these experiences have also shown that the existing instruments at EU level are not always adequate to protect the rule of law. In view of this situation, both the Council and the European Parliament have insisted on the need for new mechanisms or instruments. By setting up a new EU Framework to strengthen the Rule of Law, the Commission has responded to these calls.*

*The Commission welcomes the support of the Camera Deputaților for the Framework as presented by the Commission. In its Opinion the Camera Deputaților acknowledges the legitimacy of the Commission's initiative. The Framework – which is linked to the powers conferred on the Commission by Article 7 of the Treaty on European Union – aims at preventing an escalation of systemic threats to the rule of law in a Member State through a political dialogue between the Commission and the Member State concerned.*

*The Commission shares the views of the Camera Deputaților on the importance of complying with the principle of equal treatment of Member States when applying the Framework. The Commission also agrees with the Camera Deputaților on the need to collect the correct information at the assessment stage of the Framework. The Commission furthermore wishes to recall its commitment to keeping the European Parliament and the Council regularly and closely informed of progress made in each of the stages.*

*Mr Valeriu Ștefan ZGONEA  
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*The Camera Deputaților makes a number of other suggestions in its Opinion to promote the rule of law across the European Union, in particular to set up a permanent monitoring cycle of compliance by Member States with the rule of law, and to connect such a cycle to the European Semester. As the Commission explained during the plenary debate of the European Parliament on 11 February 2015, the priority of the Commission has rather been to improve the EU's capacity to act and intervene in certain types of crisis situations. The Framework is well designed for that purpose. There is already a significant number of reporting mechanisms concerning compliance with fundamental values and the rule of law in Member States. Numerous actors, including Union institutions and agencies, the Council of Europe, as well as other international organisations and NGOs perform regular monitoring activities and make relevant assessments.*

*The Camera Deputaților puts forward a number of other suggestions in its Opinion which are likely to require a change of the Treaties, such as to change the form and voting threshold of Article 7 TEU, to give the European Parliament a more significant role in promoting the rule of law, to limit the room for manoeuvre of the Council in this area and to enhance the role of the Court of Justice of the European Union. While the Commission does not exclude further developments of the Treaties in this area, this would have to be discussed as part of the broader reflections on the future of Europe.*

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

*Yours faithfully,*

*Frans Timmermans  
First Vice-President*