



Parlamentul României
Senat

Bucharest, February 26, 2020

Courtesy translation

OPINION
of the Romanian Senate
regarding the REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE
COUNCIL
- On Progress in Romania under the Cooperation and Verification Mechanism -
COM (2019) 499 final

The Romanian Senate examined the report from the Commission to the European Parliament and the Council - On Progress in Romania under the Cooperation and Verification Mechanism – COM (2019) 499 final – according to the provisions of the Treaty of Lisbon (Protocol no. 1).

Taking into account the report of December 12, 2019 of the permanent Committee for European Affairs, **the Plenum of the Senate**, during its session of February 26, 2020, decided:

1. The following are noted:
 - a) the two assessments of the progress made by the European Commission in implementing the recommendations:
 - i. In November 2017, the Commission noted that progress had been made on a number of recommendations, but also noted a slowdown in reforms in 2017. The Commission warned of the risk of reopening some of the objectives that the January report 2017 had considered them fulfilled;
 - ii. In November 2018, the Commission concluded that the situation had evolved such that the progress made had been canceled or their irreversibility had been questioned.

As a consequence, the twelve recommendations of the January 2017 report were no longer considered sufficient for the conclusion of the CVM and eight new recommendations were formulated.

The report urged the key institutions in Romania to demonstrate their firm commitment to the independence of the judiciary and the fight against corruption, which are indispensable cornerstones, and to act to restore the capacity of national guarantees and of the control and balance system of intervention in the situation of existence of the risk of a setback.

- b) the specific character of the CVM as a monitoring process with a limited scope of action, both through the limited number of Member States concerned and the limited set of issues considered;

2. It is welcomed the Commission's conviction that Romania could give a new impulse to the process of meeting the CVM objectives;
3. The following are supported:
 - a) to ask the Government to correct inaccurate data that do not come from official or transparent sources in the CVM;
 - b) the continuation of the dialogue and cooperation with the Commission and the Member States to promote European values and to strengthen the rule of law in all Member States;
 - c) the initiatives to assess the rule of law based on objective mechanisms and criteria which have to be applicable to all Member States;
4. The following are recommended:
 - a) that the evaluation of the CVM be made in a transparent way, correlated with the transparency of the sources of information and the way in which the information was collected, given that in the previous reports numerous factual inaccuracies can be found;
 - b) the parliamentary activity of any Member State of the European Union cannot be the object of the CVM;
 - c) integrating the CVM into a general mechanism for all Member States, horizontally, with clear criteria, clear consequences and recommendations specific to each state;
 - d) that the mechanisms and criteria for assessing the rule of law applicable to all Member States are not susceptible to politically motivated interpretations and actions at European Union level;
 - e) that the assessment of the rule of law in a Member State should take into account the total veracity of the data and information, the source of which can only be institutional;
 - f) a rethinking of CVM's assessments regarding Romania, correlated with a firm assurance of its lifting, based on the arguments set out above.

p. President of the Senate



Titus CORLĂȚEAN