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Dear Prime Minister, *doamna Dăncilă*

I carefully read your letter of 21 March 2018 in which you requested clarification on a letter of October 2012 from the Commission to the then Minister of Justice of Romania.

Let me first of all reiterate the importance I attach to working together and, in particular, to intensifying the implementation of the remaining recommendations of the Cooperation and Verification Mechanism. I trust that this message was clear both from our meeting on 21 February, and from the visit of First Vice-President Timmermans on 1 March 2018.

The Cooperation and Verification Mechanism has from the start required close contacts and more importantly cooperation between the Commission and the Romanian authorities. The correspondence to which you refer from six years ago was part of the exchanges between the Commission and the Ministry of Justice under the Mechanism and came in a phase of intensified monitoring following the specific commitments made by the Romanian government in July 2012 (letter of 17 July 2012). The questions were designed to help prepare a technical mission in November 2012 and you will note that the Commission did not ask for information relating to the substance of the cases. The Commission has never interfered in the handling of individual cases.

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H.E. Ms Viorica DĂNCILĂ
Prime Minister of Romania

One of the specific benchmarks of the Mechanism is "Building on progress already made, continue to conduct professional, non-partisan investigations into allegations of high-level corruption." This could only be assessed by receiving the kind of information requested in the letter. Specifically, one of the areas of concern at the time was the reliability of case management for high-level corruption cases, and, more precisely, whether such cases were progressing to a final court decision. Procedural delays were identified at the time as a source of concern, notably with the risk that prescription deadlines could come before cases could be concluded. This explains why the Commission was requesting information on the state of play and procedural steps ahead, information normally already accessible to the public.

In the January 2013 report, the Commission was able to welcome the handling of cases by the courts. Whereas the Commission continues to receive the necessary overview of the activities of the Romanian judiciary, including on the handling of high-level corruption cases, the earlier focus on case management was no longer considered central in the reporting exercise.

I would like to take the opportunity to reiterate that the independence of Romania's judicial system and its capacity to fight corruption effectively are essential cornerstones of a strong Romania in the European Union. I consider that we should focus together on the issues ahead, and on ensuring the progress needed to meet our common objective of successfully concluding the Mechanism by completing the remaining recommendations.

Yours sincerely,



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