



EUROPEAN COMMISSION

Ursula von der Leyen
The President

Brussels, 25 FEB. 2020
Ares (2020) 717561

Dear Honourable Members,

In your letter of 4 February, you express your concern with regard to changes being carried out in Romania, in particular as regards the electoral legislation and the laws on the judiciary.

Democracy and the rule of law are fundamental values of the European Union. In this respect, a new push for democracy and strengthening the rule of law in the Union are key priorities of my mandate. The European Union as a community of law is central to my vision for a Union of equality, fairness and social justice.

In defence of our democracies, it is essential that elections are protected in all Member States. In this respect, national administrative and judicial authorities must ensure compliance with any applicable EU law and relevant standards. To note that the Venice Commission of the Council of Europe recommends in its Code of Good Practice in Electoral Matters that fundamental elements of electoral laws, in particular the electoral system procedure, membership of electoral commissions and the drawing of constituency boundaries, should not be open to amendment less than one year before an election or should be written in the constitution or at a level higher than ordinary law.

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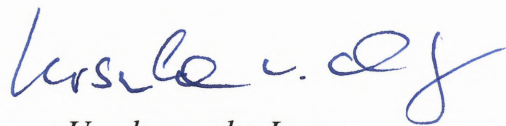
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In relation to the situation in Romania, between November 2018 and May 2019, the Commission raised concerns regarding the rule of law a number of times, including in relation to the law-making process. An important element in this process is encouraging national checks and balances to work. As regards the particular cases you mention in your letter, it appears that national checks and balances, notably institutions in the constitutional and legislative process, have addressed concerns.

The Commission continues to monitor the progress of Romania on judicial reform and the fight against corruption under the Cooperation and Verification Mechanism. I am reassured by Romania's commitment to put the reform process back on track and rapidly fulfil the recommendations as set out by the Commission, so that the path towards conclusion of the Cooperation and Verification Mechanism can be resumed.

I have entrusted Vice-President Jourová and Commissioner Reynders with the task of continuing to work closely with Romania to address rule of law issues in the country through cooperation and support.

Yours faithfully,



Ursula von der Leyen