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Renate WEBER, MEP, Romania

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To: Mr. Jose Manuel BARROSO, President of the European Commission

**To: Mr. Jacques BARROT, Vice-President of the European Commission
Responsible for Justice, Freedom and Security**

Brussels, March 3, 2009

***Dear President Barroso,
Dear Vice-President Barrot,***

Romania is still part of the European Commission's cooperation and verification mechanism and, accordingly, twice a year the EC is evaluating the progress done by my country in the field of justice reform. These evaluations have been made public in a democratic and transparent manner, in the form of monitoring reports.

On 26th February, 2009, Romania's President, Traian Basescu, took part in the meeting of the Superior Council of Magistracy. On that occasion, he spoke on the "strengthening of judicial inspection", stating the following:

"I ensure you that these are not personal comments, but points of view already shared in Brussels, regarding the Inspection. And, even though those are not written in a report, if we want to be successful, we will have to take under consideration what I am about to tell you. And it is clear that a new procedure to select inspectors must be adopted rapidly and credibly¹".

Romania's President implies that, beyond the transparent procedure the EC is following, there is another way – an occult and confidential one – through which he had found out that the present selection and appointment procedure regarding the judicial inspectors must be changed, even though the same procedure was welcomed by the European Commission, before Romania's accession to EU, as proof of depolitization of the judiciary, because it transferred the Inspection from the jurisdiction of the Justice Ministry to the Superior Council of Magistracy.

¹ " Vă asigur că nu sunt comentarii personale, ci sunt și puncte de vedere exprimate deja la Bruxelles, cu privire la inspecție. Și, chiar dacă ele nu sunt scrise într-un raport, dacă vrem să avem succes, va trebui să ținem cont de ceea ce vă voi spune. Și aici, este clar că o altă procedură de selectare a inspectorilor trebuie adoptată repede și credibil" - According to the live transmission coverage of Romanian news channels Antena 3 and Realitatea TV

President Basescu claims that this vision was "*already expressed in Brussels*". Since in Romanian language the formula "in Brussels" is commonly understood as expressing a point of view of the European Commission, I would appreciate your answers to the following questions:

1. Has the European Commission recently sent a signal or a warning to Romania, through official or unofficial channels, regarding the selection and appointment procedure for inspectors from the Judicial Inspection of the Superior Council of Magistracy?
2. Is it possible for the European Commission to send confidential messages containing evaluations of progress made in the field of justice reform, and not to include those messages in the report the Commission has issued and published recently, as part of the cooperation and verification mechanism?
3. Who from the European Commission would be entitled to send such confidential messages and to whom? To the Justice Minister? To the President of Romania?

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