



The Greens | European Free Alliance
in the European Parliament

To: Mr. Frans Timmermans,
First Vice-President of the European Commission and Commissioner for Better Regulation, Interinstitutional Relations, the Rule of Law and the Charter of Fundamental Rights

CC: Mr. Jean-Claude Juncker,
President of the European Commission

Brussels, 11 July 2018

Dear Vice-President Timmermans,

We would like to draw your attention to the concerns raised by the recent dismissal of the Romanian Anti-Corruption chief prosecutor, Laura Codruta Kovesi. We are concerned that the independence of the justice system in Romania is being put into question by the recent legislative changes and the subsequent court decisions.

We are deeply worried by the recent initiative by the Minister of Justice to dismiss the National Anti-Corruption Directorate chief prosecutor despite the negative opinion of the Superior Council of Magistracy. Furthermore, we are concerned by the decision of the Constitutional Court, which upholds the exclusive powers conferred to the Minister of Justice as a politically appointed position to dismiss prosecutors without further checks and balances.

Moreover, we would like to express our concern with regards to the current reform of the Criminal Code and the Criminal Procedure Code, and want to



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underline that the assessment of the Venice Commission regarding these reforms, expected to be delivered in October, should be fully respected.

The fight against corruption is an important pillar in maintaining and improving the rule of law in Romania and we have seen signs that until recently steps towards progress have been taken. Looking at the legislative debate on the Criminal and Criminal Proceedings Codes in the Parliament of Romania, the Constitutional Court Decisions and the negative opinion of the Superior Council of Magistracy we fear that this progress is being put into question.

As First Vice-President of the European Commission in charge of Better Regulation, Rule of Law and the Charter of Fundamental Rights, you know that the law-making process is not only a matter of majorities but should fully respect the fundamental principles that Romania subscribed to when joining the EU. Therefore, we ask you to monitor the situation and be proactive in providing all the support Romania needs to ensure the quality of the legislative process and compliance with fundamental norms. The EU should play an active role in promoting an independent justice system, ensuring the respect of fundamental rights, and in improving the anti-corruption framework in Romania.

We are very interested in following-up on these topics and the measures you will take, and we look forward to your answer to us and to the European Parliament.

Kind regards,

Ska Keller

Philippe Lamberts

Co-Presidents
Greens/EFA Group in the European Parliament