

WRITTEN QUESTION E-1705/09
by Renate Weber (ALDE)
to the Commission

Subject: Justice Reform in Romania - the selection and appointment procedure for inspectors from the Judicial Inspection of the Superior Council of Magistracy

On 26 February 2009, Romania's President, Traian Băsescu, took part in the meeting of the Superior Council of Magistracy in Romania. On that occasion he spoke of the 'strengthening of judicial inspection', stating the following: 'I assure 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 into consideration what I am about to tell you. And it is clear that a new procedure to select inspectors must be adopted rapidly and credibly'. Romania's President implies that, beyond the transparent procedure the EC is following in the framework of the cooperation and verification mechanism, there is another way via which he has discovered that the present selection and appointment procedure for judicial inspectors will have to be changed, even though the same procedure was welcomed by the European Commission, before Romania's accession to the EU, as proof of depoliticisation of the judiciary, because it transferred the Inspection from the jurisdiction of the Justice Ministry to the Superior Council of Magistracy. President Băsescu claims that this view has already been 'expressed in Brussels'. Against this background, my questions are as follows:

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 it recently issued and published 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?