Basic information

2018/2844(RSP) RSP - Resolutions on topical subjects	Procedure completed
Resolution on the rule of law in Romania **Subject** 8.30.10 Principles common to the Member States, EU values **Geographical area** Romania	

Key players

European Commission	Commission DG	Commissioner
	Justice and Consumers	JOUROVÁ Věra

Key events

Date	Event	Reference	Summary
03/10/2018	Debate in Parliament		
13/11/2018	Decision by Parliament	T8-0446/2018	Summary
13/11/2018	Results of vote in Parliament		
13/11/2018	End of procedure in Parliament		

Technical information

Procedure reference	2018/2844(RSP)
Procedure type	RSP - Resolutions on topical subjects
Procedure subtype	Resolution on statement
Legal basis	Rules of Procedure EP 136-p2
Stage reached in procedure	Procedure completed

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Motion for a resolution		B8-0522/2018	13/11/2018	
Text adopted by Parliament, single reading		T8-0446/2018	13/11/2018	Summary

European Commission

Document type	Reference	Date	Summary
Commission response to text adopted in plenary	SP(2019)43	11/03/2019	

Resolution on the rule of law in Romania

2018/2844(RSP) - 13/11/2018 - Text adopted by Parliament, single reading

The European Parliament adopted 473 votes to 151 with 40 abstentions a resolution on the rule of law in Romania.

The resolution was tabled by the EPP, S&D, ALDE, Greens/EFA, and GUE/NGL groups.

Stressing the importance of guaranteeing common European values and fundamental rights, Parliament stated it was deeply concerned at the **redrafted legislation relating to the Romanian judicial and criminal legislation**, regarding specifically its potential to structurally **undermine the independence of the judicial system** and the capacity to **fight corruption** effectively in Romania. Members noted that the independence of the judiciary is an essential requirement of the democratic principle of the separation of powers. They urged the Romanian Parliament and Government to **fully implement all recommendations of the European Commission, GRECO and the Venice Commission**, and to refrain from conducting any reform that would put at risk respect for the rule of law, including the independence of the judiciary. In this respect, Members noted that, in its report on Romania of April 2018, the Council of Europe's Group of States against Corruption (GRECO) expressed serious concern about certain aspects of the laws on the status of judges and prosecutors and on draft amendments to the criminal legislation, questioning the legislative process, and suggesting implicit violation of anti-corruption standards. The Venice Commissions reports of October 2018 also expressed fears that the draft legislation in question could result in **pressure on judges and prosecutors,** and ultimately, undermine the independence of the judiciary. Parliament encouraged proactively seeking evaluation by the Venice Commission of the legislative measures at stake before their final approval.

It called on the Romanian authorities to:

- put in place **safeguards** in order to assure a transparent and legal basis for any institutional cooperation and avoid any interference that circumvents the checks and balances system;
- counter any measures which would decriminalise **corruption in office**, and to apply the national anti-corruption strategy.

Parliament also called for parliamentary control over the **intelligence services** to be reinforced. It noted the ongoing debate with regard to the role of the Romanian Intelligence Service (SRI) and its alleged interference with the activities of the Romanian judiciary, raising questions as to the possible extent and modalities of such interference.

On the issue of **corruption,** Members reiterated their regret that the Commission decided not to publish the EU Anti-Corruption Report in 2017, and invited the Commission to develop a system of strict indicators and easily applicable, uniform criteria to measure the level of corruption in the Member States and evaluate their anti-corruption policies, in line with Parliament's resolution of 8 March 2016 on the Annual Report 2014 on the Protection of the EU's Financial Interests.

Parliament went on to condemn the **violent and disproportionate intervention by the police** during the mass protests in Bucharest in August 2018. It called on the Romanian authorities to ensure a transparent, impartial and effective investigation into the actions of the riot police.

Noting that the Parliamentary Assembly of the Council of Europe has called on Romania to reject the recently proposed draft laws imposing additional financial reporting obligations on NGOs, Members strongly recommended **reconsideration of the legislation on the financing, organisation and functioning of NGOs** with regard to its potential intimidating effect on civil society and its entry into conflict with the principle of freedom of association and the right to privacy. They believed that such laws should be brought fully into line with the EU framework.

Lastly, Parliament called on the Commission, as guardian of the Treaties, to monitor the **follow-up** given to the recommendations by the Romanian authorities, while continuing to offer full support to Romania in finding adequate solutions. The Romanian Government, in turn, was called upon to cooperate with the European Commission, pursuant to the principle of **sincere cooperation** as set out in the Treaty.