



**COUNCIL OF
THE EUROPEAN UNION**



Council conclusions on the Cooperation and Verification Mechanism

*3231st GENERAL AFFAIRS Council meeting
Brussels, 11 March 2013*

The Council adopted the following conclusions:

1. Reaffirming its earlier conclusions, in particular those of 24 September 2012, the Council welcomes the report from the Commission on progress in Romania under the Cooperation and Verification Mechanism. The Council commends the Commission on its work, on the methodology followed and fully shares the objective and balanced analysis and recommendations contained in the report. The Council notes that this report is a response to political events in Romania last summer. More generally, the Council appreciates the continued good co-operation of Bulgaria and Romania with the Commission and the other Member States under the mechanism.
2. The Council notes positively the steps taken by the Romanian government to address several of the Commission's recommendations of July 2012 but notes that a number of the recommendations still need to be adequately implemented. The Council recalls the fundamental values on which the EU is founded, and welcomes the commitment of the Romanian government to ensure respect for the rule of law and the independence of the judiciary, as well as the steps that have been taken in this regard. The election of a new parliament and the appointment of a new government provide a fresh opportunity to consolidate these steps and swiftly address still outstanding points. The Council welcomes the steps that have been taken to respect the role of the Constitution and the Constitutional Court. The Council underlines the importance of the effective implementation of the new statute for Members of Parliament and the proposed Code of Conduct. The Council notes that further work is needed on the respect for and enforcement of judicial decisions, on concerns regarding undue pressure on the judiciary and anti-corruption institutions, and on the responsibility of Ministers and parliamentarians to set an example in terms of respect for integrity. The Council looks forward to the early appointment of a new leadership for the prosecution and the National Anti-Corruption Directorate (DNA) following an open and transparent process. Those appointed will need to demonstrate the independence, integrity and professionalism necessary to enjoy the confidence of the public and deliver effective results.

P R E S S

Rue de la Loi 175 B - 1048 BRUSSELS Tel.: +32 (0)2 281 6319 Fax: +32 (0)2 281 8026
press.office@consilium.europa.eu <http://www.consilium.europa.eu/Newsroom>

3. The Council also welcomes the Commission's assessment of progress in Romania against the background of the benchmarks set out in the Cooperation and Verification Mechanism and previous Commission recommendations. The Council welcomes progress on judicial inspection as a means of improving the accountability of the judicial system, and important progress on building a track record in the fight against high-level corruption made by the Prosecutor-General's office, DNA, National Integrity Agency (ANI) and the High Court of Cassation and Justice. The Council also notes positively and encourages further steps being taken in the implementation of the National Anti-Corruption Strategy. The Council considers it essential that the advances made by the prosecutorial, anti-corruption, and integrity institutions are maintained and that their independence and work be fully supported. The Council shares the Commission's assessment that there are important remaining challenges, including limited progress in the prevention and sanctioning of corruption related to public procurement, and notes the measures being taken to develop the role of ANI in this area.
4. The Council reiterates the importance of an unequivocal, sustained and broad-based political commitment to meet the objectives set under the Mechanism. The existence of an impartial, independent and effective administrative and judicial system, with sufficient resources, is indispensable for EU policies to function properly and for citizens to benefit fully from all the opportunities offered by membership of the Union.
5. The Council notes that the Cooperation and Verification Mechanism has been instrumental for progress, and that it remains an appropriate tool to assist in reform efforts in order to achieve a record of concrete and lasting results to reach the objectives of the Mechanism. Building on progress already achieved, the Council urges the further acceleration of efforts to address all the recommendations set out by the Commission in its reports and looks forward to further concrete steps ahead of the Commission's reports on Bulgaria and Romania before the end of this year. In this context, the Council welcomes the Commission's intention to continue monitoring the situation in Bulgaria and Romania closely.
