

**Question for written answer E-010497/2012
to the Commission**
Rule 117
Adrian Severin (NI)

Subject: Commission interference in Member State legal systems

On 10 October 2012, the Commission Secretary-General wrote to the Romanian Minister for Justice seeking information under the cooperation and verification mechanism (CVM) about progress made by the Romanian legal system.

Among other things, he requested information regarding the present situation and future proceedings which the prosecution service was likely to initiate with regard to 11 specific cases of corruption before the courts. Attention was drawn to the fact that all those targeted were opponents of Romanian President Traian Băsescu and that none of them belonged to his circle of political supporters.

In reply to our previous questions, the Commission has consistently indicated that the monitoring of the legal systems in the Member States, applicant countries or partner countries does not relate to specific cases but is confined to legislative and institutional structures and general statistics and assessments reflecting trends in judicial practice. The letter from the Commission Secretary-General shows that those answers were not altogether true.

In view of this:

1. Can the Commission indicate the legal basis on which it is seeking information regarding cases currently before the courts? Is this an exception to its rule or has the Commission changed its approach?
2. To what extent is it possible to avoid such questions being perceived as inadmissible pressure on the Romanian legal process and an infringement of the principles of rule of law?
3. What were the criteria for the selection of cases in question? Is the fact that the requests do not concern the President's circle of political supporters evidence of discrimination on the part of the Romanian judiciary or of selective pressure being brought to bear by the Commission?