

*José Manuel Barroso*  
*President of the European Commission*

Brussels, 10<sup>th</sup> August 2012  
Ares(2012) 965840

*Dear Prime Minister,*

*I am writing to express a number of concerns about the institutional and political developments in Romania in the aftermath of the recently held referendum.*

*In our previous contacts, I have raised with you the importance of respect for the rule of law and the independence of the judiciary for restoring political and economic stability and confidence in Romania.*

*I was glad to note that you responded to the eleven points of concern and committed to quickly address them. As you are aware, the European Commission report published on 18 July under the cooperation and verification mechanism included urgent recommendations which reflect your undertakings. I trust that you will fully honour these commitments.*

*In particular, in your letter of 16 July 2012 you expressed the Romanian Government's commitment to respect the independence of the judiciary and implement all decisions of the Constitutional Court.*

*In this context, I am deeply concerned about recent developments relating to the Constitutional Court's validation of the referendum, despite the assurances you have personally given me in our contacts.*

*His Excellency*  
*Victor Ponta*  
*Prime Minister of Romania*

*It is now crucial that Romanian Government responds without undue delay to the requests of the Constitutional Court as regards the transmission of the relevant electoral lists, so that the Court may issue its final decision on the referendum as soon as possible. In this context it is of paramount importance that it is left to the Constitutional Court itself to clarify its position should it consider that to be necessary, and all other parties should refrain from making their own interpretation.*

*I would also like to express the European Commission's concerns about the allegations of pressure and intimidation of judges of the Constitutional Court which have been brought to our attention. It is essential that such allegations are immediately brought before the competent authorities and thoroughly investigated, so that any attempt to put pressure on the Court is swiftly struck down, in line with the Romanian Government's commitment to ensure that all parties should refrain from statements or other type of interference aimed at undermining or influencing the judicial process, including by taking action against any violation of this commitment.*

*I trust that you and your Government will take, in the interest of Romania and of its citizens, the decisions required to implement the commitments you have undertaken. The full and rigorous implementation of all of the recommendations set out in the report of 18 July is essential for Romania's credibility and economic and financial stability.*

*This has to go hand-in-hand with decisive steps to stabilise the political situation whilst avoiding any actions that could further exacerbate the current political climate. I am deeply worried about the intensification of the divisions between the various political actors in Romania and the tone of political discourse across the party spectrum. Through you I would therefore appeal to all political forces in Romania, in government and in opposition, to act with responsibility and restraint and to set their focus very firmly on the urgent need to restore stability.*

*The European Commission will continue to monitor the situation very closely and will pay particular attention to the developments since the referendum in its further report under the cooperation and verification mechanism before the end of the year.*

*Yours sincerely,*

A handwritten signature in black ink, consisting of a vertical line on the left that curves into a horizontal line extending to the right, ending in a small dot.

*José Manuel BARROSO*