

## BULGARIA AND ROMANIA TOLD TO SPEED UP REFORMS

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By Judith Crosbie

Franco Frattini, the European commissioner for justice, freedom and security, has insisted that he will recommend triggering safeguard clauses against Romania and Bulgaria if they do not introduce enough judicial reforms and clamp down on corruption and organised crime. But he said both states must be treated like all other member states during this process.

"I will be ready to trigger the clause in case of no consolidation seen, [if] no consolidation is shown by the Romanian or Bulgarian authorities," he said.

The European Commission will publish a report on 27 June on both countries' progress since joining the EU in January in the area of justice and home affairs. The Commission can recommend sanctions against Romania and Bulgaria if they do not show enough progress.

But the British, French, Dutch and Swedish ambassadors voiced concerns to the Commission in April about its scrutiny of progress in both countries.

Frattini said that he understood the ambassadors' concern but cautioned that Romania and Bulgaria should not be treated any differently. "To those ambassadors I told them, also directly, they have to consider Romania and Bulgaria as a new member state, as they are, deserving equal treatment," he said.

"I have to be in touch, I cannot treat them as I have to treat a neighbour country like Serbia. They are full member states, they sit around the same table of the Council [of Ministers], they vote as France, as Italy and Spain [do]."

Frattini said that he had recently met the Bulgarian Prosecutor-General Boris Velchev, the Bulgarian Interior Minister Rumen Petkov and the Romanian Justice Minister Tudor Chiuariu to ask them to explain progress to date. On Tuesday (29 May) he met the Romanian Interior Minister Cristian David.

Frattini said he had highlighted "good points and points of weakness" in a new Romanian law setting up an "integrity agency" - which will tackle conflicts of interest for public officials.

After the meeting, David said: "The activation of the safeguard clause is out of the question."

**The complete transcript of Franco Frattini's interview with European Voice on 29 May:**

**Q. Will you have the political courage to trigger the safeguard clauses if [Romania and Bulgaria] don't shape up?**

A. Yes absolutely it is our duty, it is our institutional duty. My evaluation will be honest and very transparent I will highlight points of weakness and points of strength. Now my services, my DG, they are studying in close co-operation with the Romanian authorities the new law concerning the agency for integrity including conflicts of interest provisions. There are good points and points of weakness in this law. We will make it clear the fight against corruption other ways to stress the importance of continuity in the process of investigation or high level cases of corruption. And that's why I say very

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transparently that I wouldn't see as a good idea to put important prosecutors under disciplinary procedures or to remove some of them. I said that publicly and transparently. This afternoon I will meet here Cristian David, the new minister of interior of Romania, he will visit me to present to me some new achievements in the practical co-operation on security, on police activity and we are co-operating.

**Q. Do you think the case is that serious that you could use these safeguard clauses that have never been used before?**

A. At this moment it is premature. It is an instrument we have. What is more important is to consolidate the process of reform both in Bulgaria and Romania. I was the first to insist on avoiding even wording like similar wording to the one in the pre-accession phase because these are to new member states, full member states we cannot use even wording like 'monitoring mechanism' or something like that because monitoring is wording for a candidate, not for a member state. The wording is 'close co-operation mechanism'. I have to help them to consolidate to stabilise the process of reform and the safeguard clause is exactly the instrument which already exists in the treaty. It is not a new instrument created for Romania and Bulgaria it's an existing mechanism and I will be ready to trigger the clause in case of no consolidation seen, no consolidation is shown by the Romanian or Bulgarian authorities. Now it's premature to say that. Why? Because now we are preparing our report in co-operation with the Romanian and Bulgarian authorities. I cannot decide here from Brussels on one point without consulting, without putting on the table my doubts, my problems in a very transparent way. Minister David will come to visit me exactly to give me some answers.

**Q. When will you decide, on the 28th of June?**

A. The decision will be taken, I think the final proposal will be ready in the third week of June and the final decision under my proposal will be adopted on the 27th. My proposal on the substance will be ready I suppose seven, eight days before.

**Q. How do you respond to the fears of some member states, a number of ambassadors went to see Catherine Day, some of them I think were worried about your own closeness with the two countries and the fact that you had been saying that they had been doing very well. How do you respond to that?**

A. That's why I have to be honest. I have to be neither close nor hostile. I have to be honest but there is one very clear point, to those ambassadors I told them, also directly, they have to consider Romania and Bulgaria as a new member state, as they are, deserving equal treatment. If I trigger a clause or start an infringement procedure against an old member state I have to do the same concerning Bulgaria and Romania honestly so, frankly speaking, you will see and everyone will see my proposal and report. My proposal and report will be an honest one.

**Q. Did you think these ambassadors were jumping the gun?**

A. They were concerned because some elements like risks of dismissals of important prosecutors in Romania or street assassinations in Bulgaria or excessive length of procedures before tribunals before courts. They are elements of concern and I can understand. That's why I asked immediately after they voiced concerns I met here prosecutor Velchev of Bulgaria, minister of justice of Romania, minister of interior of Bulgaria and this afternoon minister of interior of Romania. I have to be in touch I cannot treat them as I have to treat a neighbour country like Serbia they are full member states, they sit around the same table of the Council, they vote as France as Italy and Spain.

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