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

Brussels, 05. 09. 2013  
BARROSO (2013) 2851407  
BARROSO (2013)

Dear President,

Thank you for your letter of 2 August concerning the UK government's announcement on the possibility to opt out of the measures adopted pre-Lisbon in the areas of police cooperation and judicial cooperation in criminal matters, as provided for in Article 10 paragraphs 4 and 5 of Protocol 36 to the Treaty on the Functioning of the European Union.

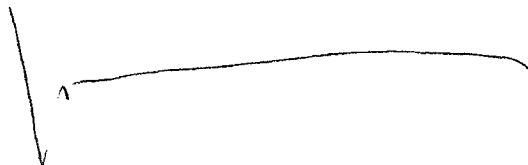
The Commission respects the UK government's choice to opt out of the measures in question. The Protocol also makes clear the conditions under which the UK may seek to opt back into certain or all of the measures. These criteria include in particular the need for practical operability and the coherence of the acquis in this area. These conditions are of the utmost importance and must be respected whilst at the same time recognising the Protocol's steer towards the widest possible participation of the UK.

The Commission will take its final position after the UK's formal notification of the final list of measures it will seek to opt back into, which can only be done after the end of the transitional period, as of 1 December 2014.

Although the applicable legal provisions of the Lisbon Treaty do not provide any formal role for the European Parliament in this procedure, I recognise the importance of the European Parliament's involvement in decisions that have an impact on the functioning of the European area of security and justice.

For this reason, the Commission will keep the European Parliament regularly informed about the process. Ms Viviane Reding, Vice President of the Commission responsible for justice, fundamental rights and citizenship, and Ms Cecilia Malmström, Member of the Commission responsible for home affairs, will be at the disposal of the European Parliament at any moment during this process.

Yours sincerely,



*José Manuel BARROSO*

Mr Martin SCHULZ  
President  
European Parliament

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