

EUROPEAN COMMISSION
Office of the Vice-President Viviane Reding
Justice, Rights and Citizenship
Chief of Staff

Brussels, 21 February 2011

Mr. Didier Bertin

Dear Sir,

The Vice-President of the European Commission, Viviane Reding, has received your letter dated January 26, 2011 and thank you.

The report of the European Commission of 22 December 2010 on "The memory of the crimes committed by totalitarian regimes in Europe" * highlights the diversity of the laws of Member States in this field. Member States have adopted different measures according to their history and their national circumstances. Even among those Member States which have suffered the same kind of totalitarian regime, instruments adopted and steps taken can be very different.

Given this disparity and limited powers of the European Union in this field, the European Commission considers that the conditions for legislative action in these areas does not currently exist.

In its report, the European Commission also stresses the importance for the Union to contribute, within its competence, to promote the memory of the crimes committed by totalitarian regimes in Europe. The European Commission considers it important to fill gaps in knowledge of the totalitarian past of all Member States, notably as regards the period during which Western Europe and Eastern Europe have had two different experiences.

Sincerely

Martin SELMAYR