

# Commitments

made at the hearing of

## VĚRA JOUROVÁ Commissioner for Justice, Consumers and Gender Equality



In her answers to the questionnaires and during the hearing on 1 October 2014 before the Committees on Legal Affairs, on Civil Liberties, Justice and Home Affairs, on Internal Market and Consumer Protection and on Women's Rights and Gender Equality, the Commissioner-designate Věra Jourová made a number of commitments<sup>1</sup>.

# JURI

## Civil justice cooperation

"The new portfolio of Justice, Consumers and Gender Equality should help to preserve (European) values by **building bridges between national legal systems and European law.**"

"I am committed to **further develop civil justice cooperation.**"

## Judicial training

"I will ensure we reach the objective of **enabling half of all legal practitioners in the EU** to receive European judicial training by 2020."

## E-Justice

"I will make sure that **as from the beginning of 2015, new tools to allow direct electronic communication between citizens and courts in other Member States will become available on the e-Justice portal.**"

## Civil Procedure

"I want to engage in a discussion and analysis of the options available to **reinforce the rights of parties in civil proceedings** and, where appropriate and necessary, to reflect on the **creation of minimum standards of procedure.**"

## Recognition of Public Documents

"In the next five years, I want to make a difference...firstly by **making sure that people have more choice**...of where they enter a partnership, get married, start a family, buy a house or spend their retirement with **effective mutual recognition of public documents, judicial decisions and property rights.**"

"I am ... committed to ensuring that the Commission proposal(s) on the **property consequences of registered partnerships** and ... on the **authenticity of public documents**, including in relation to registered partnerships ..., are adopted by the legislator as soon as possible."

"I will take action on the **recognition of the content of civil status documents**, and I hope that this could lead us to work together on a new proposal for a regulation."

## Cross-Border Family Law

"I see the review of the rules on conflicts of law issues in family law (the **so-called Brussels Ila Regulation**) as a top priority given its importance in the sensitive cases of family breakdown."

## Small Claims

"I will encourage **swift adoption** of the revised small claims regulation."

## Collective Redress

"I will **assess the implementation** of the Commission Recommendation by the Member States as foreseen **by July 2017 and report to European Parliament**. If the objectives of the Recommendation are not met, **I will consider further action, including possible legislative measures**, subject to solid impact assessment."

## Common European Sales Law

"The way (the proposal) is intended, in particular to simplify the online cross-border transaction, **deserves our support<sup>2</sup>**... "The approach envisaged by the Parliament could be particularly helpful in finding a balanced solution."

## Codification of Company Law

"Subject to a solid impact assessment I could submit a **proposal for a codification of EU company law.**"

## Cross-border Transfers of Company Seats

"I believe **we need to carry through the Directive on the (cross-border transfer) of company seats.**"

## Corporate Governance

"A **report will be delivered next year** on how to further incentivise institutional investors and asset managers to take long-term risk factors (including environmental, social and governance issues) into account in their investment strategies."

"I would **support and encourage more employee share ownership**. I will work on this topic on the basis of a report that should be published shortly."

## Insolvency

"I will also prioritise another justice initiative contributing to growth by looking closely at further steps **to reform insolvency frameworks in Europe.**"

## Smart Regulation

"I am committed to the ambitious target set for regulatory simplification in the previous Commission's REFIT Programme to achieve... a simple, clear and predictable regulatory framework for businesses and consumers."

# LIBE

## European Public Prosecutor's Office

"I intend to prioritise the establishment of an independent and efficient **European Public Prosecutor's Office by 2016.**"

"At the same time, I am determined to ensure **the highest level of procedural safeguards and a comprehensive level of judicial control.**"

## Procedural Rights

"I agree with the proposals as they are on the table, whether it is **presumption of innocence**, reinforcement of **legal aid** or **children's rights.**"

## European Arrest Warrant

"A substantial number of **shortcomings** have already been addressed and will **continue to be reviewed**, taking duly into account the 2014 European Parliament Resolution."

"**Re-opening the EAW at this point in time could be counter-productive**, given the divergent views which could be expressed in the Council."

"I am of course **available to explore** further with you **the need of legislative action, should the conditions become favourable** for such an approach."

## Children's Rights

"I will protect the most vulnerable members of society. That means **safeguarding the rights of the child, especially on the Internet**, and making sure that they have **proper rights to a fair trial** when they are suspects in criminal proceedings."

## Data Protection

"I see it as an important project of the whole Commission to ensure the swift **adoption of the EU data protection reform**, to ensure the **conclusion of a comprehensive EU-US data protection agreement** and to ensure a successful **revision of the Safe Harbour arrangement**."

"I strive for the adoption of the **European data protection reform package within the first six months** of the mandate."

**EU-US Data Protection Agreement:** "Given the importance of this issue I will give **full attention to these negotiations** with the US administration and keep the **European Parliament regularly informed**."

## Anti-Discrimination

"I am determined to see the **Horizontal Anti-Discrimination Directive adopted** and I will make **renewed efforts** to enable the Council to reach the necessary agreement."

**LGBTI:** "In my view we need a **straightforward and concrete action plan** in cooperation with the Member States."

"I will **build on the EU Framework for national Roma integration strategies** of 2011 and on the Council Recommendation on Roma of 2013 and **make use of all tools at EU level** to strengthen the effectiveness of the work of the EU institutions and national authorities."

## Free Movement

"In parallel to supporting Member States in the **fight against abuse**, I am **committed to making free movement easier** and more rewarding for the millions of EU citizens and their families who genuinely exercise their right to free movement."

## IMCO

### Competition, consumer choice and consumer protection

"My intention is to **fully include consumer aspects as cross-cutting issues in EU policy making and to shape the EU consumer agenda.**"

### Market surveillance and product safety package

"My intention is to play my role as honest broker in order to **overcome the current stalemate** in the Council so that this important package can finally be adopted...**I will engage with stakeholders and with Member States** to understand the concerns and will try to contribute to finding a solution."

## Digital challenges

"My overall objective is to **create a level playing field** where all companies offering their goods or digital services in the EU are subject to the same **strong data protection and consumer rules**, regardless of where their server is based."

"We will also need legislation to **modernise and simplify consumer rules for online and digital purchases**...notably for the digital environment."

On "**shared economy and responsibilities of internet and telecom intermediaries**: "I will work closely with the network of national enforcement authorities...to define a **common approach** that applies across the EU."

## Consumer protection

**Enforcement will be one of my top priorities.** It is important that consumer protection legislation is equally applied and enforced throughout the Union: not only to tackle actual infringements and avoid market fragmentation but also to provide a deterrent effect and prevent new infringements. This question will be at the heart of the review of the Consumer Protection Cooperation Regulation."

"I will also safeguard the right of consumers to **go to court in their home country** and to benefit from the protection of the laws of their home country...I will closely monitor the implementation of the recent revision of the **Brussels I Regulation**."

## Better regulation

**Data collected**...can offer valid input for the regulator's work. I also intend to ensure that the Commission's services make full use of **impact assessments** when preparing new legislation falling under my responsibility, carefully considering the likely effects of a given policy initiative on consumers, SMEs and microenterprises...Prior to launching any initiative, I will ensure timely **consultation of all stakeholders** concerned, including relevant business and consumer organisations."

## FEMM

### Gender Balance on Company boards

"I will make it a **priority** to get this Directive adopted and I think this should be done by the end of 2015 at the latest."

"I will continue to **defend (it) in the Council** to break the current blocking minority. I am optimistic that ... shifts will bring about a new momentum."

"Regarding the **exceptions**...I am ready to **negotiate** and open to discuss possible **solutions**."

"As far as sanctions are concerned it has always been the Commission's approach in its equal treatment legislation to set out the general requirements for sanctions – that they have to be effective, proportionate and dissuasive – but to **leave the choice of the precise applicable sanctions to Member States**. The Women on Boards proposal takes the same approach, which I think is the right approach."

## Gender Equality Strategy

"It is of crucial importance for the new Commission to adopt a **Strategic Framework on gender equality that clearly defines our policy priorities, our future actions and precise timelines for delivery**...based on the **dual approach** of both specific actions to promote equality and gender mainstreaming."

"The new Strategy must focus on **closing the remaining gender gaps in pay, labour market participation, pensions and power** as well as on fighting all forms of **violence against women**."

"We must continue to push for sufficient and high quality **childcare** infrastructures, after-school care, as well as support in the care for other dependants."

"We must overcome excessively rigid and hampering gender roles and **stereotypes**, segregated labour markets and work towards a more equal sharing of time spent on care and household responsibilities between women and men."

"I am determined to use all available instruments: **enforcement of existing legislation and proposing new legislation** where necessary; objective setting and **regular monitoring**; funding; awareness-raising; and the development and transfer of good practices."

"We will continue our active contribution to on-going **international work**, such as in the frame of the Beijing Platform for Action, in order to advance and empower women."

## Gender Mainstreaming

"I will work with all my fellow Commissioners and ask them to **mainstream the gender dimension into their future work, and in at least one concrete new policy action, legislation or spending programme** within their portfolio" (and ask them) "to **report on the implementation** on an annual basis...I will then convene a yearly meeting of Commissioners to take stock of progress."

"I will ensure that the Commission **strengthens the gender dimension** of...impact assessments and evaluations" and "gender budgeting at EU level."

"On the issue of the **number of female Commissioners**, personally I would like to see a next Commission either at an equal basis with a number of men, or at least meeting the 40% threshold...it is something that I would push for".

"Within my services, I will ensure that **women are promoted to the senior management positions** and I will also work ... to see how this can be done throughout the Commission."

## Maternity Leave Directive

"I am fully committed to the objectives of the proposal...I fully **support all efforts to revitalise the negotiations**."

"I am committed to **finding a solution** to move the file forward... I am ready to **facilitate the flexibility needed** from both co-legislators to achieve progress and thereby **find a compromise** between the European Parliament and the

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Council (to achieve) significant progress under the Italian Presidency."<sup>1</sup>

## Violence Against Women

"I will propose that the fight against violence to women forms an **integral part of the next strategic framework for gender equality**."

"I think it is high time to **step up our efforts in fighting all forms of violence against women**: we will work with Member States to ensure the correct implementation and full application of the pertinent EU legislation...We will support EU governments and civil society efforts to prevent all forms of violence, to help victims, to punish the perpetrators and to raise awareness ... through the Rights, Equality and Citizenship Programme."

"I welcome the recent entry into force of the **Istanbul Convention**...I commit to try to **convince each Member State** that has not already done so to ratify. In as far as the EU has competence to sign and ratify the Convention, **I will propose the EU accession to it**."

"I think that it is important to see whether we shouldn't **come with an own legislative proposal** on violence against women."

"We will deliver all the actions promised to **fight FGM**... (and) to step up efforts to **eradicate human trafficking**."

## INTER-INSTITUTIONAL COOPERATION

"I will ensure that **the two branches of the legislator are treated on an equal footing**, both in terms of accountability and information sharing (and) that **I take a personal involvement in negotiations and will make myself available to the European Parliament** and the relevant committees wherever possible."

"The President-elect has already underlined that **Parliament's legislative reports should receive the highest level of attention**. I fully share the President-elect's commitment."

"I will... make sure that **the Commission responds to parliamentary resolutions or requests** made on the basis of Article 225 TFEU, **within 3 months** after their adoption."

<sup>1</sup> Quotes are either taken from the commissioner-designate's answers to the questionnaire or from the hearing held on 2 October 2014. In case of multiple quotes on the same issue, only one is reported here to enhance legibility. Some quotes may be free translations of the original language spoken.