

Věra Jourová

Vice-President: Values and Transparency

Hearing due to be held on Monday 7 October at 14.30 hours.

European Parliament committees responsible: Constitutional Affairs (AFCD); and Civil Liberties, Justice and Home Affairs (LIBE).

As European Commissioner for Justice, Consumers and Gender Equality since 2014, Věra Jourová supported the First Vice-President for Better Regulation, Interinstitutional Relations, the Rule of Law and the Charter of Fundamental Rights in relation to the European Union's accession to the European Convention on Human Rights (ECHR), as well as on ensuring respect for the rule of law and the Charter for Fundamental Rights. Her responsibilities also included fighting discrimination, EU data protection reform, and setting up the European Public Prosecutor's office.



Born in 1964, Věra Jourová graduated in law at Charles University in Prague and obtained a Master's degree in theory of culture from the same university. Her professional experience includes responsibilities in local, regional and national government in Czechia: as Secretary and Spokesperson of the Třebíč Municipal Office; Head of the Department of Regional Development of the Vysočina Region; European Integration Deputy at the Ministry for Regional Development; and, finally, as Minister for Regional Development in 2014 (January-October). As a member of the ANO political party, affiliated to the Alliance of Liberals and Democrats for Europe, Jourová

was also elected in 2013 as a Member of the Chamber of Deputies of the Czech Parliament.

This is one of a set of Briefings designed to give Members of the European Parliament an overview of major issues of interest in the context of the hearings of the Commissioners-designate. The full set of Briefings can be found at: https://epthinktank.eu/commissioner_hearings_2019

Background

The EU is founded on a common set of values, including democracy, the rule of law and human rights (Article 2 TEU). One of the [main priorities](#) of the Juncker Commission, upholding shared **EU values** and **fundamental rights** is expected to continue as such in the European Commission's agenda for the next term, as the remit of the future Vice-Presidency for values and transparency, assigned to Vera Jourová, includes both coordination of the Commission's work on the rule of law and monitoring the application of the Union's Charter, and strengthening Europe's democracy.

Priorities and challenges

In Ursula von der Leyen's [political guidelines](#) for the 2019-2024, the Commission President-elect commits to strengthening EU **democracy** through several initiatives, including improving the 'lead candidate' system, increasing transparency in EU decision-making and protecting EU democracy against external interference. Highlighting the need to review the way in which EU institutions are elected, the President-elect proposes to improve the '**lead candidate**' (*Spitzenkandidaten*) system and to make it more visible by addressing the issue of **transnational lists** for European elections. Considered to afford the European Parliament a greater say in the election of the Commission President and to establish a clearer link between European elections and the composition of the Commission, the 'lead candidate' [system](#) was successful in 2014, when Jean-Claude Juncker was elected President of the Commission, having been appointed lead candidate by the European People's Party. However, in July 2019 Ursula von der Leyen was nominated by the European Council, rather than the lead candidate of any European political family. The implications for EU interinstitutional and political dynamics remain to be seen, but improvement of the system and possible electoral reform is clearly a priority on the Commission's agenda. Similarly, enhancing the **transparency, accountability and integrity** of EU decision-making, which is critical to overcoming criticism on (perceived) EU institutional opacity, is a key challenge for EU institutions. During the previous Commission term, debate on transparency throughout the EU legislative process was fostered by a European Ombudsman [inquiry](#) into the Council's legislative work, the judgment of the Court of Justice in the [De Capitani](#) case, and the initiatives adopted by the [Finnish Presidency](#) of the Council to render Council's legislative work more transparent. In addition, the [proposal](#) to create a mandatory transparency register of lobbyists covering the three main institutions, which [failed](#) to pass during the previous parliamentary term, may return to the EU institutions' agenda. Addressing the threats of foreign intervention in EU elections and building the 'resilience of our democratic system', by countering disinformation whilst also preserving freedom of expression and of the press, is also expected to remain a priority, where the new Commission will have to build upon EU [efforts](#) to [counter online disinformation](#) in protecting the 2019 European elections.

Von der Leyen's [political guidelines](#) greatly emphasise upholding the **rule of law** and EU values, stating that 'there can be no compromise when it comes to defending our core values', and commits to using all the EU tools at her disposal. In this respect, the Commission will have to address rule of law backsliding in some Member States and therefore participate in the [Article 7\(1\) TEU procedures](#) already triggered against [Poland](#) (2017) and [Hungary](#) (2018), as well as in possible future procedures against some other Member States. Similarly, the debate on reinforcing the current EU toolbox to respond to systemic threats to the rule of law in Member States, launched by the Commission at the end of the 2014-2019 term, is expected also to figure on the EU institutions' agenda in the coming term. The President-elect also [commits](#) to fostering approval by the co-legislators of the proposal for a [regulation on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States](#) and expresses her support for a comprehensive European Rule of Law Mechanism, based on objective criteria and applied to all Member States equally. Following Ursula von der Leyen's election as President, the outgoing Commission issued a [communication](#) proposing to strengthen the EU toolbox to enforce the rule of law through various mechanisms, including a Rule of Law review cycle that would cover all Member States, ending with

the adoption of an annual Rule of Law report. However, certain aspects remain to be defined, e.g. how the mechanism would be implemented, how it would relate to existing mechanisms and if it would fall short of the EU Pact for democracy, the rule of law and fundamental rights, [proposed](#) by Parliament in the 2014-2019 parliamentary term. Finally, the European Council [Strategic Agenda](#) for 2019-2024 includes the protection of citizens and their freedoms as one of the four main priorities for EU institutions for the coming term, stressing the need to defend the **fundamental rights** and freedoms of EU citizens against existing and emerging threats. Focusing more on social rights and equality, the Commission President-elect [commits](#) to presenting an action plan to fully implement the European Pillar of Social Rights. As regards accession to the ECHR, since the Court of Justice issued its Opinion declaring the draft accession agreement incompatible with EU law ([Opinion 2/13](#)), the Commission [has sought](#) solutions to address the Court's objections. However, no new draft accession agreement has yet been proposed and therefore it remains to be seen how the EU institutions will comply with the obligation enshrined in Article 6(2) TEU.

Main projects

In her [mission letter](#) to Věra Jourová, von der Leyen entrusts Jourová with the lead on the Commission's work on values and transparency, working for a strong and vibrant EU democracy and upholding its common values. As Vice-President, Jourová will assume a steering and coordinating function, chairing the Commissioner's Group on a New Push for European Democracy, and will play an active role in the Conference on the Future of Europe. The President-elect commits to organising a Conference on the Future of Europe in which European citizens would have a say on the future of Europe, including the processes through which the members of EU institutions are elected, and Věra Jourová will represent the Commission in the Conference in relation to the lead candidate process and transnational lists, aiming to make a proposal on both issues by summer 2020.

Continuing recent initiatives, Věra Jourová is to 'closely monitor the implementation of the [Code of Practice on Disinformation](#)', agreed in October 2018 with key online platforms ahead of the May 2019 European elections, and to 'propose regulatory intervention if necessary', based on the Commission's assessment of the behaviour of the online platforms ahead of the elections. To address possible external threats to EU democracy, Jourová's work should also focus on including legislative proposals to ensure greater transparency in relation to political advertising and financing of European political parties. Similarly, she should lead the negotiations on the [failed interinstitutional agreement](#) on a mandatory Transparency Register for the Commission, Parliament and Council, and work with those institutions to create an independent ethics body addressing criticism of EU institutional ethics and integrity. As media pluralism is critical to any democracy, Jourová has also been entrusted with the task of identifying risks for plurality in the media through the [Media Pluralism Monitor](#) and supporting independent journalism through cross-border projects. Aiming to increase citizen's involvement in EU affairs, and following a recent [modification](#) of the Regulation on the European Citizens Initiative (ECI), the President-elect of the Commission also entrusted Věra Jourová with the responsibility of improving the way the ECI works.

Finally, Vice-President-designate Jourová will 'coordinate the Commission's work on upholding the rule of law', working with [Didier Reynders](#), Commissioner-designate for Justice. Regarding fundamental rights in the EU, Věra Jourová will lead Commission work to ensure the EU's accession to the ECHR and will [continue to monitor](#) application of the Charter of Fundamental Rights. Jourová will also coordinate all initiatives to promote European identity, including the [Rights, Equalities and Citizenship Programme](#), with a budget of €439.5 million for 2014-2020, and will lead the Commission's dialogue with churches, religious associations, and non-confessional organisations.

European Parliament

Since its [inception](#) ahead of the 2014 European elections, Parliament has [supported](#) the 'lead candidate' process, considering it a way to reinforce the political legitimacy of both Parliament and Commission by connecting their respective elections more directly to voter choice, and increasing

transparency in the procedure of electing the Commission President. Parliament also [supported](#) the creation of joint constituencies, in combination with transnational lists, during the most recent reform of the European Electoral Act, although the proposals were rejected by [Council](#). The European Parliament also [voted](#) in favour of stricter rules on transparency in EU decision-making, calling for a binding (instead of voluntary) lobby transparency register. In relation to media pluralism, Parliament has [called](#) for a greater role for EU institutions in safeguarding an independent and free media landscape and in supporting quality and independent journalism, including through financial support. Parliament has also consistently pushed for a European response to disinformation. With its budgetary power, it has supported the [East StratCom Task Force](#), set up under the European External Action Service (EEAS) in 2015, following the European Council's [call](#) to counter Russian disinformation. In March 2019, Members [urged](#) a robust response against propaganda aiming to undermine European democracy, high priority for strategic communication, and the adoption of legislation to protect European elections from 'undue influence'.

Parliament has also been very active on fundamental rights. In addition to its annual report on the situation of fundamental rights in the EU (latest, [January 2019](#)), and its annual report on human rights and democracy in the world (latest, [December 2018](#)), Parliament has [stressed](#) the relevance of the Charter of Fundamental Rights as a source of primary law, and has called for an update of the [2010 Commission strategy for the effective implementation of the Charter](#). Parliament has also [suggested](#) initiatives to ensure better implementation of the Charter within the EU's institutional framework, inter alia developing gender impact assessments on Commission proposals and enhancing the involvement of the EU Agency for Fundamental Rights in assessing Commission proposals' compatibility with the Charter. Parliament has also called on the Commission to take steps towards a new draft of the EU accession agreement to the ECHR. Finally, Parliament has proved its commitment to strengthening and upholding the rule of law in the EU. Parliament backed the Commission decision to trigger Article 7(1) TEU in relation to Poland in a [resolution](#) of 1 March 2018, and [launched](#) the Article 7(1) TEU procedure against Hungary in September 2018. From a wider perspective, Parliament has [consistently](#) stressed the need for an impartial and regular assessment of the situation with regard to the rule of law, democracy and fundamental rights in all Member States, [calling](#) on the European Commission to establish an EU Pact for democracy, the rule of law and fundamental rights in the form of an interinstitutional agreement.

FURTHER READING

[The Implementation of the Charter of Fundamental Rights in the EU institutional framework](#), Policy Department for Citizens' Rights and Constitutional Affairs, European Parliament, 2016.

Poptcheva E-M., [Understanding the EU Rule of Law mechanisms](#), EPRS, European Parliament, 2016.

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