

JURI Report

Meeting of 23-24 April 2018

The April meeting of the JURI Committee will commence with structured dialogue with Frans Timmermans, First Vice-President of the Commission in charge of Better Regulation, Inter-Institutional Relations, the Rule of Law and the Charter of Fundamental Rights. This will be followed by the presentation of the results of the EAVA Study "A Common EU Approach to Liability Rules and Insurance for Connected and Autonomous Vehicles". The first day will conclude with in the camera items.

On 24 April, after the structured dialogue with Věra Jourová, Commissioner for Justice, Consumers and Gender Equality, the Committee will vote, including on the report on the 2017 EU Justice Scoreboard and on the report on replacing Annex A to Regulation (EU) 2015/848 on insolvency proceedings. Afterwards, the committee will hold exchange of views with António Campinos, Executive Director of the European Union Intellectual Property Office (EUIPO). The morning session will conclude with in camera items.

The afternoon session will commence with the presentation of the Policy Department C in-depth analysis on 'The Hague Conference on Private International Law "Judgments. The presentation will be followed by the hearing on the same topic. Afterwards the committee will held an exchange of views on the report on law applicable to the third-party effects of assignments of claims and on the opinion on harnessing globalisation: trade aspects. This will be followed by reporting back to committee on rules on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organisations and retransmissions of television and radio programmes. The meeting will conclude with in camera items.

HEARING

The Hague Judgments Project



JURI will hold a public hearing on the 'Hague Judgments Project' in Brussels, on 24 April 2018, from 15.00 to 16.30. The hearing is aimed at bringing together Members of the European Parliament, Commission representatives, the Permanent Bureau of the Hague Conference and stakeholders, with a view to discussing the ongoing negotiations for a world-wide convention on the recognition and enforcement of judgments in civil and commercial matters.

Since the recognition and enforcement of judgments is a matter of EU exclusive competence, the Commission represents all Member States (except Denmark) on the basis of the negotiating directives adopted by the Council in 2016. A third Special Commission was held in November 2017, which focused on intellectual property matters and general and final clauses; the fourth and final Special Commission meeting will take place in May 2018. This hearing will therefore provide an opportunity to keep up to date with the results of the first three meetings of the Special Commission, as well as with the next steps and future stages of the project. More information and the programme of the hearing can be found [here](#).

ISSUE 47
MARCH/2018

NEXT MEETING
14-15 MAY 2018

JURI
Website

EPRS

LATEST ANALYSES

[The Exception for Text and Data Mining \(TDM\) in the Proposed Directive on Copyright in the Digital Single Market - Technical Aspects](#)

[A common EU approach to liability rules and insurance for connected and autonomous vehicles](#)

[The European Agenda on Migration](#)

[The impact of Brexit on the legal status of European Union officials and other servants of British nationality](#)

[Legal analysis with focus on Article 11 of the proposed Directive on Copyright in the Digital Market](#)

[Strengthening the Position of Press Publishers and Authors and Performers in the](#)



The 2017 EU Justice Scoreboard



In the European Union, enforcement of the law before the courts remains largely a matter of national procedural rules and practice. National courts are also Union courts. Proceedings brought before the national courts must therefore ensure fairness, justice and efficiency, as well as the effective application of Union law.

The right to an effective remedy and to a fair trial, as enshrined in Article 47 of the Charter and in Article 6 of the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), constitutes one of the fundamental guarantees of respect for the rule

of law and democracy. Although the Member States are party to the ECHR, experience has shown that this alone does not always ensure a sufficient degree of trust in the justice systems of other Member States. The extent of mutual trust is very much dependent on a number of parameters, which include, inter alia, mechanisms for safeguarding the rights of the claimant or the defendant while guaranteeing access to the courts and to justice.

On 10 April 2017 the Commission published the 2017 EU Justice Scoreboard, which gives a comparative overview of the quality, independence and efficiency of justice systems in the European Union. Unlike previous editions, the 2017 Scoreboard looks into consumers' access to justice and the channels used to lodge complaints against companies. It also shows the length of criminal court proceedings relating to money-laundering offences.

This own-initiative report is a response to the Commission's 2017 EU Justice Scoreboard. At this meeting, the Committee on Legal Affairs will adopt its final report.

Procedures: [2018/2009\(INI\)](#)

Rapporteur: Jytte Guteland

Administrator: Zampia Vernadaki

PRELIMINARY TIMETABLE

Exchange of views in the presence of the Commission:
24.01.2018

Consideration of a draft report: 22.02.2018

Deadline for AMs: 06.03.2018

Consideration of AMs:
27.03.2018

Adoption in JURI: 24.04.2018

JURI Vote: 24.04.2018

Replacing Annex A to regulation (EU) 2015/824 on Insolvency proceedings



Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (recast) entered into force on 26 June 2015. This Regulation includes as annexes a list of insolvency proceedings (Annex A) and a list of insolvency practitioners (Annex B) relevant to its application. In January 2017, the Republic of Croatia notified the Commission on recent changes in its domestic insolvency law introducing new types of insolvency proceedings, such as pre-insolvency proceedings and a consumer's insolvency proceeding. Croatia accordingly requested a modification of the list set out in Annex A to the Regulation.

The Commission examined whether the request from Croatia complied with the requirements of the Regulation, and concluded that the new insolvency proceedings introduced in Croatian law are consistent with the definition of 'insolvency proceedings' under

Regulation (EU) 2015/848. Consequently, it submitted a proposal to the European Parliament and to the Council with a view to adjusting the scope of the recast regulation to the current legal framework of the Croatian insolvency legislation.

In the course of the examination of the proposal by the Council, the Republic of Bulgaria, the Republic of Croatia, the Republic of Latvia and the Portuguese Republic informed of recent changes in their domestic laws introducing new types of insolvency proceedings and/or insolvency practitioners. The Council introduced the relevant amendments to Annexes A and B to the Commission proposal.

At this meeting, the committee will vote on the draft report presented by the rapporteur.

Procedures: [2017/0189\(COD\)](#)

Basic doc: [COM\(2017\)0422](#)

Legal Basis: Art. 81 TFEU

Rapporteur: Tadeusz Zwiefka

Administrator: Henrik Kjellin

PRELIMINARY TIMETABLE

Deadline for AMs: 11.04.2018

JURI Vote: 24.04.2018

EXCHANGE OF VIEWS

Law applicable to the third-party effects of assignments

Rules relating to the law applicable to third party effects of assignments of claims were included in the Commission proposal which later became Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I). However, they did not appear in the final text. The clear intention of the legislators when removing these issues from the Rome I Regulation was that the Commission should return to them at a later stage.

These questions were raised again in the light of the 2015 Action Plan for a Capital Markets Union (CMU). In May 2017 the Commission's mid-term review set out the remaining actions which will be taken to put the building blocks in place of the CMU by 2019, with the objective of removing barriers to cross-border investment and lowering the costs of funding.

The Commission proposal consists of fifteen articles. It closely follows the Rome I and II Regulations. The report focuses on the provisions specific to this proposal, given that those copied over from Rome I and II have been left unchanged. This position has been taken specifically with a view to possibly concluding this legislative file before the end of the present term.

At the meeting, the committee will hold an initial exchange of views.

EXCHANGE OF VIEWS WITH:



- Mr Frans Timmermans, First Vice-President of the Commission in charge of Better Regulation, Inter-Institutional Relations, the Rule of Law and the Charter of Fundamental Rights - structured dialogue
- Ms Věra Jourová, Commissioner for Justice, Consumers and Gender Equality - structured dialogue
- Mr António Campinos, Executive Director of the European Union Intellectual Property Office (EUIPO)

Harnessing globalisation: trade aspects

On 1 March 2017, the Commission presented a White Paper on the future of Europe which was intended as the starting-point for a wide-ranging debate on the EU's future with 27 Member States. To further contribute to this discussion, the Commission has put forward a number of reflection papers on key topics that it considers will define the coming years. A paper on harnessing globalisation (COM(2017)0240) was the second in the series. It aims to make an evidence-based assessment of what globalisation means for Europe and Europeans.

The Committee on International Trade (INTA) has decided to draw up an own-initiative non-legislative report on this subject, with a focus on trade aspects. Given JURI's previous involvement in such questions, for instance in areas including harmonisation of rules and intellectual property law, as well as investment protection and conflict resolution, JURI will deliver an opinion for this report.

Gilles Lebreton was appointed as JURI's rapporteur for this opinion in February 2018. At this meeting, the committee will hold a first exchange of views on the dossier.

PRESENTATION

The Hague Conference on Private International Law “Judgments Convention”



The Policy Department for Citizens' Rights and Constitutional Affairs has commissioned an in-depth study on the ongoing Hague Conference on the Judgments Convention, at the request of the JURI Committee. The study focuses on the 2017 November Draft Convention, its interplay with international and Union instruments in the field, and its potential future impact on the regulation of civil and commercial cross-border disputes.

At this meeting, Professors Gilles Cuniberti and Pedro de Miguel Asensio will present an overview of the study's findings to the members of the JURI Committee. The in-depth study can be accessed [here](#).

A common EU approach to liability rules and insurance for connected and autonomous vehicles

This analysis has been drawn up by the European Added Value Unit within the European Parliamentary Research Service (EPRS). It builds on two expert research studies carried out by the Utrecht Centre for Accountability and Liability Law and RAND Europe for the European Added Value Unit of the European Parliament's DG EPRS.

The findings of this European added value assessment (EAVA) suggest that it is necessary to revise the current legislative EU framework for liability rules and insurance for connected and autonomous vehicles. Not only would revision ensure legal coherence and better safeguarding of consumers rights but it would also be likely to generate economic added value. It is argued that accelerating the adoption curve of driverless or autonomous vehicles (AVs) by five years has the economic potential to generate European added value worth approximately €148 billion.

At the meeting, the Committee will hear a presentation of the analysis. The in-depth study can be accessed [here](#)

REPORTING BACK TO COMMITTEE

Rules on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organisations and retransmissions of television and radio programmes



At this meeting, the chair of the EP negotiating team will report back to the committee after the third trilogue on the proposed SatCab regulation, held in Strasbourg on 17 April.

During the trilogue, very little movement was made from the original mandates of the Parliament and the Council and therefore only limited substantive progress could be made on the main political issues, namely scope, retransmission and direct injection. It was agreed that the Commission and Parliament will present compromise proposals on these questions for discussion at an upcoming fourth trilogue, the date of which is still to be determined.

SUBSIDIARITY (RULE 42)

Proposal for a directive of the European Parliament and of the Council on the quality of water intended for human consumption (recast)

- the Czech Parliament

Proposal for a Regulation of the European Parliament and of the Council laying down rules and procedures for compliance with and enforcement of Union harmonisation legislation on products and amending Regulations (EU) No 305/2011, (EU) No 528/2012, (EU) 2016/424, (EU) 2016/425, (EU) 2016/426 and (EU) 2017/1369 of the European Parliament and of the Council, and Directives 2004/42/EC, 2009/48/EC, 2010/35/EU, 2013/29/EU, 2013/53/EU, 2014/28/EU, 2014/29/EU, 2014/30/EU, 2014/31/EU, 2014/32/EU, 2014/33/EU, 2014/34/EU, 2014/35/EU, 2014/53/EU, 2014/68/EU and 2014/90/EU of the European Parliament and of the Council

- the Swedish Parliament

IMPLEMENTING ACTS AND MESURES (RULE 106)

Commission Regulation amending Regulation (EC) No 1126/2008 adopting certain international accounting standards in accordance with Regulation (EC) No 1606/2002 of the European Parliament and of the Council as regards Interpretation 23 of the International Financial Reporting Interpretations Committee

By Commission Regulation (EC) No 1126/2008, certain international standards and interpretations that were in existence at 15 October 2008 were adopted.

On 7 June 2017, the International Accounting Standards Board (IASB) published Interpretation 23, 'Uncertainty over Income Tax Treatments of the International Financial Reporting Interpretations Committee' (IFRIC 23). IFRIC 23 specifies how to reflect uncertainty in accounting for income taxes.

Adoption of IFRIC 23 implies, by way of consequence, amendments to International Financial Reporting Standard (IFRS) 1, in order to ensure consistency between different international accounting standards.

Following consultations with the European Financial Reporting Advisory Group, which confirmed that IFRIC 23 meets the criteria for adoption set out in Article 3(2) of Regulation (EC) No 1606/2002, the Commission concluded that Regulation (EC) No 1126/2008 should be amended accordingly.

Legal basis: Article 3(1) of Regulation (EC) No 1606/2002 of the European Parliament and of the Council of 19 July 2002 on the application of international accounting standards

Rapporteur: Jens Rohde

Administrator: Andrea Scimali

Committee responsible: ECON

PRELIMINARY TIMETABLE

Consideration: 24.04.2018

The rapporteur is of the opinion that no objection should be raised to the proposal in question.

Commission Implementing Regulation (EU) amending Implementing Regulation (EU) No 1352/2013 establishing the forms provided for in Regulation (EU) No 608/2013 of the European Parliament and of the Council concerning customs enforcement of intellectual property rights

Commission Implementing Regulation (EU) No 1352/2013 established the application form provided for in Regulation (EU) No 608/2013 and to be used for requesting that customs authorities take action with respect to goods suspected of infringing an intellectual property right ('application form').

The application form needs to be adapted in order to take account of the practical experience acquired in using the form as well as to ensure the trouble-free transmission and exchange of information via the central database referred to in Article 31 of Regulation (EU) No 608/2013. Moreover, since Regulation (EU) 2015/2424 of the European Parliament and of the Council replaced the term 'Community trade mark' in the Union legal order by the term 'European Union trade mark', the application form needs to be adapted to take account of that development.

Following the favourable opinion of the Customs Code Committee, the Commission therefore proposes that Implementing Regulation (EU) No 1352/2013 should be amended.

This is a new version of a proposal previously sent to Parliament. The rapporteur is of the opinion that no objection should be raised to the proposal in question.

Legal basis: Article 6(1) of Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights and repealing Council Regulation (EC) No 1383/2003

Rapporteur: Jens Rohde

Administrator: Andrea Scimali

Committee responsible: IMCO

PRELIMINARY TIMETABLE

Consideration: 24.04.2018

IN CAMERA

Verification of credentials



The President has announced to plenary that the competent national authorities have given notice of the appointment of the following as Member(s) of the European Parliament, with effect from the dates shown below:

Ms Ana Miranda (to replace Mr Josu JUARISTI ABAUNZ), as from 28 February 2018;

Ms Elsi KATAINEN (to replace Mr Hannu TAKKULA), as from 1 March 2018;

Mr Miroslavs MITROFANOVS (to replace Ms Tatjana ŽDANOKA), as from 5 March 2018.

In accordance with Rule 3 of the Rules of Procedure, on the basis of a proposal by the committee responsible, Parliament will, without delay, verify the credentials of individual Members who are replacing outgoing Members and may at any time rule on any dispute as to the validity of the mandate of any of its Members.

It is not possible to confirm the validity of the mandate of a Member unless the written declarations required on the basis of Article 7 of the Act of 20 September 1976 and Annex I to the Rules have been made. Until such time as Members' credentials have been verified or a ruling has been given on any dispute, and provided that they have previously signed the above-mentioned written declaration, they will take their seat in Parliament and on its bodies and will enjoy all the rights attaching thereto.

Legal basis: Rule 3 RoP

Rapporteur: Pavel Svoboda

Administrator: Andrea Scrimali

PRELIMINARY TIMETABLE

Exchange of views: 23-24.04.2018

Adoption JURI: 24.04.2018

IMMUNITY

Victor Boştinaru's

HEARING AND EXCHANGE OF VIEWS

Type of procedure:

Defence of immunity

Procedure: 2018/2027 (IMM)

Legal basis: RoP Rule 7

Notice to Members: 03/2018

Rapporteur: Kostas Chrysogonos

Administrator: Valeria Ghilardi

TIMETABLE:

Exchange of views: 27.03.2018

Hearing: 24.04.2018

Manolis Kefalogiannis

EXCHANGE OF VIEWS

Type of procedure: Waiver of immunity

Procedure: 2017/2133 (IMM)

Legal basis: RoP Rule 6

Notice to Members: 25/2017 and 30/2017

Rapporteur: Jean-Marie Cavada

Administrator: Zampia Vernadaki

TIMETABLE:

Exchange of views: 07.09.2017

Hearing: 09.10.2017

2nd Exchange of views: 07.12.2017

Exchange of views with DG PERS: 24.01.2018

3rd Exchange of views: 24.04.2018

SUBSCRIPTIONS

JURI Report: juri-secretariat@europarl.europa.eu

JURI Press Releases: lega-press@europarl.europa.eu

WATCH LIVE: EP website or [EuroparlTV](#)

Re-Watch: [EP multimedia library](#)

CREDITS & ACKNOWLEDGEMENTS

European Parliament - [Committee on Legal Affairs](#)

Head of Secretariat: Ewa WOJTOWICZ

Responsible Administrator: Zampia VERNADAKI

Editorial/Production Assistant: Yolanda RODRIGUEZ MALNERO