



European Commission



Justice and Fundamental Rights

May 2019

BASED ON MUTUAL TRUST AND MORE DEMOCRATIC UNION



‘Citizens expect their governments to provide justice, protection and fairness with full respect for fundamental rights and the rule of law. This also requires joint European action, based on our shared values.’

Then candidate for European Commission President, Jean-Claude Juncker, Political Guidelines for the next Commission, 15 July 2014

A UNION BASED ON FUNDAMENTAL RIGHTS



The European Union is much more than an internal market. It is not only a Union of economies but it is a **Union of shared values**. The EU Treaties and the Charter of Fundamental Rights set out the founding values of the European Union and the rights enjoyed by its citizens.

The Commission works to guarantee that fundamental rights are respected for all citizens, **including in the digital world**.

REMOVING ILLEGAL ONLINE CONTENT AND HATE SPEECH



IT companies removed **72%** of illegal hate speech

To respond to the proliferation of racist and xenophobic hate speech online, the European Commission and 4 major IT companies (Facebook, Microsoft, Twitter and YouTube) presented a [“Code of conduct on countering illegal hate speech online”](#) in May 2016. In February 2019, the fourth evaluation of the code of conduct on carried out by NGOs and public bodies showed that IT companies removed on average 72% of illegal hate speech notified to them. The Commission has also taken measures

to tackle illegal content online, such as terrorist content, child sexual abuse material, counterfeit products and copyright infringing material, and disinformation.

The Commission launched the **EU Internet Forum** in December 2015 to tackle the misuse of the internet by terrorist groups. The Forum brings together EU Interior Ministers, the internet industry and other stakeholders to work together in a voluntary partnership to address this complex issue and to protect EU citizens. To increase the speed and effectiveness of our response, in September 2018 the Commission proposed **new rules** to get terrorist content off the web within one hour – the critical window in which the greatest damage is done.

In December 2018, the Commission set out an **Action Plan against Disinformation**, in order to develop a coordinated response to disinformation both within the EU and in its neighbourhood, especially in view of the forthcoming European elections.

PROTECTING PERSONAL DATA

Data protection is of particular importance in the digital age.

The Juncker Commission finalised the **new EU data protection rules (GDPR)**. They came into force across the EU on 25 May 2018. The reform provides citizens with the following rights:

- A right to receive clear and understandable information about the processing of personal data;
- A right to obtain access to the personal data held about you;
- A right request that personal data is erased when it's no longer needed or if processing it is unlawful;

With tough sanctions, the new rules protect also Europeans from their personal data being abused, for instance in the context of the European election campaign.

The European Commission is closely monitoring the **EU-U.S. Privacy Shield**, which offers a strong protection for personal data. It also offers citizens **easy and cheap redress** for personal data transferred to the U.S. in case of complaints. The Commission published its second annual report on the functioning of the Privacy Shield in December 2018.



EU-U.S. Privacy Shield

Over 4,500 companies already certified

(April 2019)

In January 2019, the Commission adopted its **adequacy decision on Japan**, allowing personal data to flow freely between the two economies on the basis of strong protection guarantees.

FIGHTING DISCRIMINATION

33%
of women in the EU
experienced **physical or
sexual violence** (or both)
from the age of 15

96%
of Europeans say domestic
**violence against women
is unacceptable**

#SayNoStopVAW
European Commission
launched **social media
campaign**

€400 million
available to EU countries
from the Commission to
**fight violence against
women**

Source: European Commission, Eurobarometer 2016

WORK-LIFE BALANCE INITIATIVE

The Commission proposal to improve the work-life balance of working families has just been agreed. It will make it easier for men and women to share parental and care responsibilities and get flexible working arrangements.

10
days
paternity leave
(at least)
Compensated at least at
the level of sick pay

**4 months per
parent**
parental leave
(at least)
out of which 2 months
are non-transferrable
between parents

5
days
of carers' leave
per year

flexible
working arrangements
to all working parents
and carers with children
up to at least 8 years old

WHISTLEBLOWER PROTECTION

New EU-wide rules were just agreed, on the basis of a Commission proposal, which will guarantee a high level of protection for whistleblowers who report breaches of EU law.

The new rules cover a wide reach of areas of EU law, including anti-money laundering and corporate taxation, data protection, protection of the Union's financial interests, food and product safety and environmental protection and nuclear safety.

Whistleblowers will be protected by:

- Clear reporting procedures and obligations for employers
- Safe reporting channels
- Prevention of retaliation and effective protection

CIVIL AND CRIMINAL JUSTICE



Victims' rights have also been strengthened by giving them the right to information, support protection and compensation. These rights are also extended to family members of victims. Suspects or people accused of crimes will now have the same rights across the EU. The adoption of the **procedural rights** package will ensure that these people have access to legal aid, have the right to be presumed innocent, and to have a lawyer and gives special protection for children in criminal justice proceedings.



The Commission proposed improvements to the EU rules that **protect children in cross-border parental disputes** related to custody, access rights and child abduction. The new recast Regulation should be adopted in June 2019 and applied as of 2022.



The **European Public Prosecutor's Office (EPPO)** will tackle VAT fraud and fraud with the EU budget. 22 Member States are set to be part of the EPPO, which will work to protect the EU taxpayers' money. The Commission also proposed to expand the competences of the EPPO to help fight cross-border terrorism.



The Commission presented a proposal to **equip prosecutors with modern tools to have access to evidence** that is saved **online or on the cloud**. This proposal will help judicial authorities fight crime and terrorism more efficiently. The European Commission recommended in February 2019 to engage in negotiations with the U.S. on cross-border rules to obtain electronic evidence.

The Commission also recommended a mandate to negotiate on behalf of the EU under the Budapest Convention, which is the centrepiece of **international cooperation against cybercrime**. It provides a comprehensive framework for cooperation for over 60 countries.

EMPOWERING CONSUMERS

European consumers benefit from strong consumer rights, whether they buy in their own country or cross-border.

ONLINE DISPUTE RESOLUTION PLATFORM

The Commission launched an Online Dispute Resolution platform to help consumers and traders solve online disputes over a purchase made online.



24,000 consumers used the new **online dispute resolution platform** in its first year

IMPROVED CONSUMER PROTECTION COOPERATION

In case of EU-wide breaches of consumer rights, the Commission has reinforced the coordination of common measures by national enforcement authorities with updated Consumer Protection Cooperation rules. It will ensure a swifter protection of consumers, while saving time and resources for Member States and businesses.

NEW DEAL FOR CONSUMERS

The Commission's menu of action

NATIONAL PROJECTS

€1 million for Member States to co-finance national projects, studies and enforcement actions

PRODUCERS AND RETAILERS

European Commission in dialogue with producers and retailers

JOINT RESEARCH CENTRE

Development of a common methodology, supported by €1 million

NATIONAL AUTHORITIES

European Commission's guidance for national enforcers adopted in September 2017

In April 2018, the European Commission proposed a 'New Deal for Consumers' to strengthen and better enforce consumer protection rules.

The adopted measures will bring tangible benefits for consumers:

- with effective penalties for violations of EU consumer law
- by tackling dual quality of consumer goods
- with strengthened consumer rights online

The Commission also proposed rules to establish a representative action, to give European consumers more redress possibilities. Discussions are still ongoing.

