



Speech by Commissioner Jourová at the occasion of the 10th anniversary of the EU Charter of Fundamental Rights : "Making the EU Charter of Fundamental Rights a reality for all"

Brussels, 12 November 2019

Thank you Tiina. Ladies and gentlemen,

I am honoured to be with you today, as we mark the 10th anniversary of the EU Charter of Fundamental Rights becoming legally binding.

The Charter is a great achievement. With the Charter, we agreed on a set of shared values and fundamental rights that serve as a compass to guide our actions. The Charter as a symbol of our shared European identity, the knowledge that we all belong to a community of values where fundamental rights are respected; where democracy and the rule of law prevail.

It also represents an important milestone in the development of the EU; the leap from what was essentially an economic Union to one that puts its citizens at its heart.

It might be easier to realise the value of the Charter if we recall the past. This November we celebrate the anniversary of the Velvet Revolution in former Czechoslovakia and the 30th anniversary of the fall of the Berlin Wall. These were acts not only symbolic of the collapse of the oppressive Communist system in Eastern and Central Europe, but of the desire of the oppressed to be part of such a community of values. The Charter is the representation of freedoms we on the East of the Iron Wall fought for.

But, we have to be honest – the every-day life in Europe doesn't always reflect the ideal captured in the Charter. Every day, people, entire groups, are discriminated against, we see laws that limit people's rights; we see technology that makes the application of fundamental rights difficult.

Too few Europeans know and understand their rights; too many feel they remain on paper, and don't apply in real life.

We have a duty to act and to change this. Before I outline some ideas of what I would like to do, it's important to understand where we came from and what happened over the last 10 years.

Over the past decade, the Charter has led to a more coherent and comprehensive interpretation of fundamental rights across the EU. This included putting new rights forward: take for instance the right to be forgotten interpreting the right to privacy in the digital age. This is now clearly part of our privacy rules set. But this also meant ensuring fundamental rights are protected in whatever initiative we take: from my work on this in the current Commission I can tell you that we have collectively put a lot of efforts to ensure Charter compliance. This has not always been easy, particularly when preparing legislation in the field of migration or security, but the awareness about the Charter in the decision making it a reality.

What's more, the Court of Justice of the EU has been instrumental in developing a culture of fundamental rights within the institutions. I am sure we will hear more about this from President Lenaerts this afternoon.

And we now have a strong body of EU law that proactively promotes and protects citizens' rights. The new rules on data protection, gender equality and on protecting whistleblowers and victims of crime are just a few examples.

The last decade also witnessed the emergence of a vibrant scene of defenders of fundamental rights such as national human rights institutions, equality bodies, ombudspersons as well as civil society organisations and networks. They are crucial as our eyes and ears on the ground, and they are often the first instance to turn to for the victims of fundamental rights abuses.

There is however one important lesson: the general consensus in the EU around fundamental rights and values can never be taken for granted.

The increased uncertainty of many Europeans over security, jobs, migration, climate change or technological transformation create a fertile ground for autocrats and political extremists. They offer a false choice between security and rights.

So, let me be clear: there will be no freedom and security if we sacrifice our rights. We have to fight this false premise and get better in showing to people that the foundation of security and prosperity are the values enshrined in the Charter.

That is why, now more than ever, it is essential to make the benefits of the Charter clear for all. Fundamental rights matter in our societies because they put the individual in centre stage, and they are about recognising and protecting that individual in his or her own way.

We need to ensure that the principles, rights and values enshrined in the Charter aren't perceived as empty promises, but rather, that they become a reality for all.

The clear message from the Eurobarometer survey was that our citizens want to know more about their rights and where to turn to if these rights are violated. Rights are important, but they also need to be effectively enforced.

Many of you in this room are instrumental in bringing the Charter to life. You are all part of the Charter's enforcement chain, ensuring it has a real impact on people's lives by being applied effectively.

It is not always easy to understand when and how the Charter applies. The rights enshrined in the Charter are not self-standing; they apply only for the implementation of EU law.

That means that when citizens come to us with concerns over their rights, we often have to tell them that it is not within our remit to help them. We of course point them in the right direction, usually towards national institutions, but this kind of response can of course be frustrating.

What we would like to achieve today is to find ways to use the Charter to its full potential and to make it is more relevant. As I mentioned during my recent hearing before the European Parliament, in the new Commission mandate I intend to revise the Charter strategy that was adopted 10 years ago. For this, I would gladly welcome your input and ideas.

Allow me share some initial thoughts with you of the areas where I would like to act.

First, we have to continue putting the human dimension at the core of the EU's legislative and policy work, for example with Artificial Intelligence or minimum wage – priorities announced by President-Elect.

Secondly, I would like to improve the assessment of the state of play of fundamental rights. So far, we have done half of the job, looking at how it works at the EU level. But if we are to reap the benefits to the citizens the key, I fear, is at the Member States level.

Third – the effective application of the rights. Once we understand where the problems are we have to use all the tools at our disposal, legal and political, to ensure that the rights are there for everyone. We have to look at the whole enforcement chain – from the Commission, through the courts to the human rights institutes and strengthen the weaker links.

Fourth – we have to evaluate the impact of current trends on the application of fundamental rights. There might be cases where more substantial guidance from our side might be needed. I think in particular about the digital world as the last years show big challenges when it comes to upholding the basic rights online, including dignity, freedom of expression or even free elections.

Last, but not least – awareness of rights. But let me stress – of rights, rather than only of the Charter itself. People have to know what's in the book, not only the cover, if we want them to effectively use it.

One key objective of the new strategy should be to enhance support for those who rights that are violated and to help them understand where they can turn to help and what they can do.

Of course, these are just some initial thoughts and I hope this event, and many others, will help us to find the best way forward. We will do this in an inclusive way, involving all key actors at the national and European level in the process.

Now, at the beginning of a new EU policy cycle, is the perfect moment to refocus our efforts and to put the Charter at the centre of our action. You, the actors of change, are integral to this.

I wish you a successful conference.

