



## Speech of Commissioner Jourova: Informal JHA council in Riga

Riga, 30 January 2015

### ***Press conference at the informal JHA Ministerial meeting***

The recent terrorist acts in Paris were an attack on our core values: respect for life, freedom and tolerance. We must stand up to protect these fundamental principles and values.

EU Interior Ministers and my colleague Commissioner Avramopoulos had a discussion yesterday on terrorism and how Europe should respond to it. This morning, I discussed with the Justice Ministers the key role of Justice policies in the future European Agenda for Security.

### **Five Justice policy priorities to fight terrorism**

- First, we need to step up our action to prevent and combat anti-Semitic hatred as well as anti-muslim sentiments. We need to fully enforce the existing EU legislation combating racism and xenophobia and make sure that it achieves results on the ground.
- Second, we need to make effective use of EU level cooperation between all law-enforcement actors. For example, the European Arrest warrant and Mutual Legal Assistance agreements are instruments that work well and that we must use to their full potential. Our agency EUROJUST needs to work at its full potential and therefore be in a position to fully exchange information with EUROPOL and be associated to EUROPOL's Focal Points dealing with terrorism.
- Third, we need to reinforce the prevention of radicalisation, especially the radicalisation in detention facilities. We need also to exchange experiences and best practices.
- Fourth, through the Anti-Money Laundering Directive we can address terrorist financing more effectively. I urge all Member States to implement the Directive swiftly once it's adopted. We must be able to confiscate assets quickly, and to draw the right conclusions from suspicious transfers.
- Fifth, we need to adapt our legislative framework. First and foremost we need to accelerate the negotiations on the proposed data protection 'police' Directive for the personal data exchanges of law enforcement authorities across the EU. I want us to continue and to intensify our law enforcement cooperation. This Directive can be a key component facilitating that cooperation. We might also look at the framework decision of the UN to find a solution on the definition of foreign fighters.

### **Data Protection**

I am very pleased that we had a first Ministerial discussion today on the Data Protection Directive for police and criminal justice authorities. Robust data protection rules will foster more effective cooperation based on mutual trust.

To achieve this trust we need to maintain a high level of data protection, both in the proposed Regulation and the 'police' Directive.

We agree that there needs to be clarity about when the general Data Protection Regulation applies and when the 'police' Directive applies, which takes account of the specific needs of law enforcement.

The proposal on the table now for the 'police' Directive applies to "the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties". This scope is sufficiently broad as it covers all work by authorities linked to the enforcement of criminal law. Other public authorities should be covered by the General Data Protection Rules.

We need to swiftly conclude the ongoing negotiations on this reform project in 2015 and start implementing the new rules, to keep our citizens safe in full respect of fundamental rights. Businesses and citizens are waiting for it.

### **Digital Justice**

Another reason why we need the data protection reform is to kick-start the Digital Single Market. In

2015, the Commission will propose new initiatives, legislative and non-legislative, to bring the Digital Single Market to the level of ambition needed to respond to the existing challenges. In this context, the Commission will simplify the rules for consumers making online and digital purchases, and facilitate e-commerce.

Today we discussed obstacles faced by consumers and traders when buying or selling online. There are clearly real problems that need concrete solutions.

The key obstacle to the Digital Single Market is the legal fragmentation of consumer and contract rules.

As a result, only 15% of consumers bought online from other EU countries in 2014, while 44% did so domestically, and only 5% of businesses sell cross-border online .

The complexity of the legal framework results in consumers losing trust in buying cross-border. EU consumers could save €11.7bn each year if they could choose from a full range of EU goods and services when shopping on line.

And also for businesses, a key problem is the cost of this fragmentation. The fact that they need to comply with different contract law rules has a heavy price tag. Adding everything up, the total costs suffered by businesses when they sell to consumers in other EU countries is between €4bn and €8bn. These costs are of course the heaviest to bear for SMEs. And micro-enterprises represent up to 92 % of all EU companies.

It is clear that the potential of the Digital Single Market is currently not exploited enough.

We need to work together to offer both consumer and businesses the right rules to do away with legal fragmentation in the Digital Single Market; to ensure that consumers are adequately protected and that business benefits from a level playing field.

Finally, we discussed the further development of e-justice, which is one of my priorities. The digitalisation of justice means easier access to justice for citizens, businesses and legal professionals. Our goal should be seamless communication between citizens, practitioners and courts everywhere in the EU.

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