

## JURI Report

### At the meeting of 2 October 2017

The first October meeting will include only votes on the report on protection of whistle-blowers, as well as on the report on the Environmental Liability Directive. Moreover, the MEPs will vote on the opinions on Privacy and Electronic Communication.

### VOTES

#### Protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data



**Procedure:** 2017/0002(COD)  
**Basic doc:** COM(2017)0008  
**Rapporteur:** Angel Dzhambazki  
**Administrator:** Henrik Kjellin  
**Preliminary timetable**  
**Vote:** 2.10.2017

On 27 April 2016, the European Parliament and the Council adopted the General Data Protection Regulation (GDPR), which will become applicable on 25 May 2018. The proposal for a regulation of the European Parliament and the Council for the Protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data aims at adapting the current rules (as set out in Regulation (EC) No 45/2001) to the GDPR in order to provide a strong and coherent data protection framework in the Union and to enable both instruments to be applicable at the same time. It is consistent with the coherent approach to personal data protection throughout the Union, namely to align, as far as possible, the data protection rules for Union institutions,

bodies, offices and agencies with the data protection rules adopted for the Member States.

At this meeting the committee will vote.

#### Legitimate measures to protect whistle-blowers acting in the public interest when disclosing the confidential information of companies and public bodies

Over a number of years, the crucial role that whistle-blowers play in revealing serious breaches of the public interest has been brought to light as a result of a series of scandals, in such varied areas as public-health protection, the environment and tax avoidance. Today, protecting whistle-blowers is one of the best ways to safeguard the public interest and bring about responsible and ethical conduct in public and private institutions. However, the protection offered, if at all, is still largely inadequate and is too disjointed to offer a coherent framework in the EU, whose activities are currently limited to sectorial protections.

The rapporteur believes that the EU should take action by means of a horizontal legislative instrument, in accordance with its objectives regarding democracy,

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pluralism of opinions and freedom of expression. There are a number of possible legal bases available to the Commission to propose such an instrument, so it should take that route as soon as possible.

A number of international standards to protect whistle-blowers have already been developed. Therefore EU legislation should support them. In accordance with those standards, the definition of whistle-blower should be broad enough to cover as many scenarios as possible and thus protect private- and public-sector employees, consultants and even the self-employed. Moreover, it should not be limited to reports on unlawful acts, but should also cover disclosures of a breach of the public interest. Clear reporting mechanisms should be introduced in organisations to facilitate internal whistleblowing. That cannot, however, be the only means of reporting, and whistleblowing to an independent institution or to the public should be authorised. At EU level, an agency specifically dedicated to advice, guidance and collection of reports should be established.

To better protect people who decide to blow the whistle, they should be guaranteed that their confidentiality is protected, and a reversal of the burden of proof should be introduced. Lastly, financial and psychological support and compensation for damages would complete the measures, and effective sanctions against those who attempt to prevent whistle-blowers from speaking out should be introduced.

At this meeting the committee will vote.

**Procedure:**

2017/0003(COD)

**Basic doc:**

COM(2017)0010

**Rapporteur:** Virginie Rozière

**Administrator:**

Henrik Kjellin

**Preliminary timetable**

**Vote:** 2.10.2017

**Plenary:** October II

## Respect for private life and the protection of personal data in electronic communications and repealing Directive 2002/58/EC (Regulation on Privacy and Electronic Communications)



The Digital Single Market Strategy has as an objective to increase trust in and the security of digital services. The reform of the data protection framework, and in particular the adoption of Regulation (EU) 2016/679, the General Data Protection Regulation ("GDPR") was a key action to this end. The DSM Strategy also announced the review of Directive 2002/58/EC ("ePrivacy Directive") in order to provide a high level of privacy protection for users of electronic communications services and a level playing field for all market players.

The ePrivacy Directive ensures the protection of fundamental rights and freedoms, in particular the respect for private life, confidentiality of communications and the protection of personal data in the electronic communications sector. It

also guarantees the free movement of electronic communications data, equipment and services in the Union. It implements in the Union's secondary law the fundamental right to the respect for private life, with regard to communications, as enshrined in Article 7 of the Charter of Fundamental Rights of the European Union.

Central for the opinion on this proposal will be how it puts in place the DSM Strategy objectives while respecting fundamental rights, and how consistency with the GDPR is ensured.

At this meeting the committee will vote.

**Procedure:** 2017/0003(COD)

**Basic doc:** COM(2017)0010

**Rapporteur:** Axel Voss

**Administrator:** Henrik Kjellin

**Preliminary timetable**

**Vote:** 2.10.2017

## Application of Directive 2004/35/EC of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage (the 'ELD')

The Environmental Liability Directive (ELD) entered into force on 30 April 2004. Member States had three years to transpose it into domestic law, and transposition was complete by July 2010. The ELD has been amended three times: through Directive 2006/21/EC on the management of waste from extractive industries, through Directive 2009/31/EC on the geological storage



**Procedure:** [2016/2251\(INI\)](#)

**Rapporteur:** Laura Ferrara

**Administrator:** Zampia Vernadaki

**Preliminary Timetable**

**Vote:** 2.10.2017

of carbon dioxide and amending several directives, and through Directive 2013/30/EU on safety of offshore oil and gas operations and amending Directive 2004/35/EC.

According to Article 18 of the ELD, the Commission had to report in 2014 on the experience gained in the application of the directive on the basis of the national reports submitted in 2013 by the Member States to the Commission and of other relevant information. Owing to delays in reporting and evaluation and changes at EU political level in 2014, the report was only adopted in April 2016.

The rapporteur, Laura Ferrara, presented her draft report on 19 June 2017. At this meeting, the Committee on Legal Affairs will vote on the draft report and on the 73 amendments tabled to the draft report.

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