

JURI Report

At the meeting of 3-4 May 2017

The first May meeting of the Committee on Legal Affairs will commence with the hearing of the selected candidates for the post of chairperson of the Second Board of Appeal of the European Union Intellectual Property Office (EUIPO). That will be followed by consideration of opinions on the implementation of the Treaty provisions concerning national Parliaments, common corporate tax base, common consolidated corporate tax base and new regulation of professions. The day will conclude with in camera items.

The committee meeting on 4 May will start with exchange of views with Věra Jourová, European Commissioner for Justice, Consumers and Gender Equality, in the context of the structured dialogue between Parliament and the Commission. As for the votes, these will concern a report on cross border mergers and divisions and an opinion on online platforms and digital single market. That will be followed by a debate on the amendments tabled to the draft reports on common minimum standards of civil procedures and on limitation periods for traffic accidents. The meeting will conclude with a hearing on copyright and the proposed Cab-Sat Regulation.

Public consultation on robotics



The aim of this consultation is to launch a broad based debate with a wide range of stakeholders on Parliament's report on civil law rules on robotics, drawn up by the Committee on Legal Affairs (rapporteur: Mady Delvaux). This consultation seeks views on how to address the challenging ethical, economic, legal and social issues related to developments in the area of robotics and artificial intelligence (AI) for civil use, as identified in the report. The results of the consultation will also feed into the forthcoming 'Cost of Non-Europe on Robotics and Artificial Intelligence Report', to be drawn up by the European Parliamentary Research Service (EPRS).

Given that there may be more specific proposals by Parliament at a future date, this public consultation seeks views from a wide range of stakeholders on addressing the challenging economic, legal, social and ethical issues related to developments in the area of robotics and AI for civil use identified in the report. The questions aim at obtaining a better understanding of the possible risks and problems that these developments may pose to stakeholders, and of how these problems could be dealt with at European level. The consultation will help Parliament map the experiences of individuals, industries, consumers, civil society organisations and public administrations, and their expectations for an EU regulatory framework for robotics and AI.

The results of the consultation will help Parliament define potential next steps and future policies at EU level. This consultation does not prejudice any future decision on whether or not to propose legislation in this field, and any new initiative will be subject to a more in-depth consultation process and political validation. The consultation has been extended until 31 May 2017. Please note that in order to change the language of the questionnaire, you need to change the language in the tool bar at the top of the page.

The questionnaire is available here:

<http://www.europarl.europa.eu/committees/en/juri/public-consultation-robotics-introduction.html>

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NEXT MEETING

29-30 MAY 2017

JURI Website

EPRS

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VOTES

Online Platforms and Digital Single Market



Digitalisation and new technologies, in particular the evolving use of internet and mobile devices, have changed the forms of communication and the behaviour of consumers and companies. In this context, the evolving development and use of internet platforms for a wide set of activities, including commercial activities and sharing goods and services, have changed the ways in which consumers and other users interact with content providers.

The Committee on the Internal Market and Consumer Protection (IMCO) and the Committee on Industry, Research and Energy (ITRE) are therefore jointly drawing up a non-legislative resolution on online platforms and the digital single market. JURI will give an opinion on this report, not least against the background of the copyright package, which it is currently considering.

The e-Commerce Directive exempts intermediaries from liability for content only if they play a neutral, merely technical and passive role in relation to the hosted content, and although many other pieces of EU legislation apply to online platforms, it is frequently the case that they are not enforced properly or have not been adapted to the online world. Online platforms therefore present new policy and regulatory challenges.

In an open letter to President Juncker in June 2016, Parliament's Intergroup on Cultural and Creative Industries stressed that despite the fact that more creative content is being consumed today than ever before, not least on user-uploaded content platforms, the creative sectors have not seen a comparable increase in revenues from this increase in consumption. The main reason for this was referred to in the letter as the transfer of value due to a lack of clarity regarding the status of online services under copyright and e-commerce law, not least the so-called 'safe harbour' provisions in the e-commerce directive which allow platforms to claim that they are passive and neutral hosting services which benefit from exemptions to copyright law. The Intergroup therefore called on the Commission to make clear in its Digital Single Market proposals, including the copyright package, that liability exemptions can only apply to genuinely neutral and passive online service providers, and not to services that play an active role in distributing, promoting and monetising content at the expense of creators.

Procedure: 2016/2276(INI)

Rapporteur: Constance LE GRIP

Administrator: Magnus Nordanskog

Lead committees: IMCO, ITRE

Preliminary Timetable

Adoption in JURI: 4 May 2017

In the IMCO/ITRE draft report, the Commission is urged to continue to promote the growth of European online platforms and strengthen their ability to compete globally, but the report goes on to stress the importance of removing obstacles that hamper the smooth operation of online platforms across borders and disrupt the functioning of the European digital internal market. On the question of intermediary liability, it is underlined that a clear-cut level playing field is needed in order to allow online platforms to comply with their responsibilities and the rules on liability. The liability rules for online platforms should therefore allow the tackling of issues related to illegal and harmful content in an efficient manner, for instance by respecting the duty of care, while maintaining a balanced and business-friendly approach.

In her draft opinion, the rapporteur for JURI, Constance Le Grip, starts out by noting that online platforms cover a wide range of actors involved in numerous economic activities and are therefore not subject to any clear and precise definition. The formulation of such a definition would therefore be the first step of a sectorial regulation process. She furthermore supports the need to increase the responsibility of platforms given the high public profile some have achieved and their importance in terms of economic and bargaining power. A regulatory framework is therefore needed that would guarantee loyalty and transparency towards business partners in relation to access to the service, appropriate and fair referencing, and the functioning of relevant application programming interfaces. Online platforms on which a large volume of works are stored and made available to the public should furthermore conclude licence agreements with relevant rightholders, and greater cooperation is needed between platforms and rightholders in order to fight counterfeiting online, especially through application of the 'follow the money' approach. In the view of the rapporteur, a regulatory framework based on a revised IPRED directive would be the appropriate means of ensuring a high level of cooperation from platforms.

At the meeting on 11 April 2017 the Committee considered the amendments. At this meeting the Committee will vote.

Cross border mergers and divisions



In September 2014, the European Commission launched a public consultation procedure on cross-border mergers and divisions of undertakings, which was concluded in February 2015. The responses made it possible to gather information about the existing barriers to cross-border operations and about the amendments that needed to be made to existing legislation, particularly Directive 2005/56/EC of the European Parliament and of the Council of 26 October 2005 on cross-border mergers of limited liability companies.

The committee requested authorisation to draw up an implementation report on the matter on 4 February 2016.

The committee considered that an implementation report on the basis of the Commission's feedback statement represented a timely opportunity to assess the current situation of cross-border mergers and divisions and to make, where appropriate, concrete recommendations for improvement with a view to drawing up a possible legislative initiative in 2017. Authorisation to draw up a report was granted on 14 April 2016 and on 14 June 2016 a rapporteur was appointed. Subsequently, the Commission included in its annual work programme for 2017 a proposal for amending Directive 2005/56/EC.

At this meeting, the committee will vote on the report.

Procedure: 2016/2065(INI)

Legal basis: Rule 52 RoP

Rapporteur: Enrico Gasbarra

Administrator: Francisco Ruiz-Risueño

Preliminary timetable

Adoption JURI: 04.05.2017

CONSIDERATION OF DRAFT OPINION

The implementation of the Treaty provisions concerning national Parliaments



The rapporteur will present his draft opinion to the Committee on Constitutional Affairs on the implementation of the provisions in the EU Treaties which concern the role of national parliaments in the institutional structure and functioning of the European Union. The Lisbon Treaty introduced new specific elements in the constitutional framework of the Union related to national Parliaments, in particular the checks of subsidiarity and proportionality. However, the role of national Parliaments is also affected by other changes, notably, in the division of competences, as seen, for instance, in the context of disputes over the competence to ratify international agreements.

The Committee on Constitutional Affairs has been authorised to draw up an own-initiative implementation report on "The implementation of the treaty provisions concerning national parliaments" and appointed Paolo Rangel as rapporteur. The Committee on Legal Affairs, which is the committee responsible for monitoring the respect for the principles of subsidiarity and proportionality and for the application of Union law, decided to draw up an opinion and appointed Gilles Lebreton as rapporteur for opinion.

Procedure: 2016/2149(INI)

Basic doc: COM(2016)471 final

Legal basis: Rule 52

Rapporteur: Gilles Lebreton

Administrator: Kjell Sevón

Preliminary timetable

Presentation of draft: 03.05.2017

Deadline for amend: 10.05.2017

Common Corporate Tax Base (CCTB) + Common Consolidated Corporate Tax Base (CCCTB)

The two proposals for Council directives on a Common Consolidated Corporate Tax Base (2016/0336 (CNS)) and on a Common Corporate Tax Base (2016/0337 (CNS)) are a re-launch of the 2011 Commission initiative on a Common Consolidated Corporate Tax Base for the EU. The purpose of the two proposals is to provide EU legislation in this area which is suited to an economic environment that has become more globalised, mobile and digital where Member States find it increasingly difficult to fight effectively against aggressive tax planning practices through unilateral action in order to protect their national tax bases from erosion and counter profit shifting.

At this meeting, the Rapporteur, Evelyn Regner, will present two draft opinions based on the premise that an EU regulation on tax base, both for individual companies and companies consolidated in a group, is essential in the fight to achieve justice between businesses within and outside of the EU from a taxation point of view.

One of the main threats to tax justice is the widespread practice of profit shifting. Once implemented fully, the proposed Council directives will make it possible to attribute income to where the value is created through a formula based on three equally weighted factors that are more resilient to aggressive tax planning practices than transfer pricing.

In relation to the general fairness of our taxation systems, corporations must, in the view of the Rapporteur, bear their share of the burden, and it is thus essential that new tax exemptions do not erode the tax base.

Taking into account the digital change in the business environment, the rapporteur finds that the proposed directives should also apply to digital corporations.

Finally, the rapporteur is of the opinion that a common and just minimum corporate tax rate is the only way to create equal and fair treatment between different subjects doing business in the EU, and within the larger community of tax subjects. To end the race to the bottom on corporate tax rates at EU level, a minimum corporate tax rate of 25% needs to be introduced.

Procedure:

2016/0336(CNS),
2016/0337(CNS)

Basic doc: COM(2016)0683,
COM(2016)0685

Rapporteur: Evelyn Regner

Administrator: Henrik
Kjellin

Preliminary Timetable

**Presentation of draft
opinion:** 03-04.05.2017

Proportionality test before adoption of new regulation of professions



The European Union has approximately 5 600 regulated professions, which are activities for which a specific professional qualification is required.

In the absence of harmonised requirements at EU level, the regulation of professional services remains a prerogative of the Member States. It is up to each Member State to decide whether there is a need to intervene and impose rules and restrictions for the access to or pursuit of a profession, so long as the principles of non-discrimination and proportionality are respected.

The Commission considers that the current uneven

scrutiny of the regulation of professions across the EU has a negative impact on the provision of services and the mobility of professionals; it also considers that action by individual Member States alone will not ensure a coherent legal framework for assessing the proportionality of envisaged national regulation and address the existing problems faced by national authorities.

To address the issue, the Commission has published this proposal for a directive laying down a proportionality test to be used by Member States before adopting or amending national regulations of professions.

At this meeting, the rapporteur for the opinion, Gilles Lebreton, will present his draft opinion and will set the deadline for amendments.

Procedure: 2016/0404(COD)

Basic doc: COM(2016)0822

Rapporteur: Gilles Lebreton

Administrator: Valeria
Ghilardi

Lead committees: IMCO

Preliminary Timetable

**Presentation of the draft
opinion:** 3-4.05.2017

Deadline for amendments:
09.05.2017

CONSIDERATION OF AMENDMENTS

Common minimum standards of civil procedures



Civil procedure provides the means for the enforcement of substantive rights and duties of legal subjects in legal proceedings. As such, it is inextricably linked with the fundamental right to a fair trial and effective remedies guaranteed under the Charter of Fundamental Rights of the European Union (Article 47 CFREU) and the European Convention on Human Rights (Article 6 ECHR).

The Treaty of Amsterdam confirmed the EU's competence in the area of civil procedure, and this competence was further expanded by the Treaty of Lisbon. The EU now has a certain number of common minimum standards in the area of criminal procedure. However, European citizens, especially those who move across borders,

are now far more likely to come into contact with the civil procedure of another Member State. As part of the move towards a European Area of Justice based on mutual trust, common standards of civil procedure now seem indispensable.

Minimum standards do not substitute national procedural systems in their entirety, but allow for more protective and effective national procedural rules. More importantly, minimum procedural standards at EU level could contribute to the modernisation of national proceedings, to a level playing field for businesses, and to increased economic growth via effective and efficient judicial systems, while facilitating citizens' access to justice in the EU.

In the Action Plan implementing the Stockholm Programme, the Commission announced a green paper on minimum standards for civil procedure for 2013. What is more, in May 2014 a joint project for the preparation of 'Transnational Principles of Civil Procedure for Europe' was launched by the European Law Institute, in collaboration with the International Institute for the Unification of Private Law (UNIDROIT).

On 28 February, the rapporteur, Emil Radev, presented his draft report on 'Common minimum standards of civil procedure'. After two years of preparation and consultation with experts and stakeholders, the rapporteur requested, pursuant to Article 225 TFEU, that the Commission submit by 30 June 2018, on the basis of Article 81(2) TFEU, a proposal for a directive setting minimum rules on, inter alia, effective judicial protection, oral hearings, provisional and protective measures, case management, court experts, funding of proceedings and judicial training.

At this meeting the Committee on Legal Affairs will consider the 58 amendments tabled to Mr Radev's draft report. The majority of these amendments seek further to emphasise the link between standards of civil procedure and effective access to justice in the EU and increased mutual trust between Member States' judiciaries. The scope of the competence of the EU in this area is addressed in many amendments as well as the need for legal certainty and predictability as well as to respect the principles of subsidiary and proportionality and national specificities and fundamental rights. Lastly, the provisions of the proposed Directive in Annex B of the draft report that attracted most attention were those relating to judicial training, court fees and legal aid, use of modern technology tools, as well as the possibility for a right to interpretation and translation for all concerned parties to be introduced.

Procedure: 2015/2084(INL)

Legal basis: Rule 46 RoP / Article 225 TFEU

Rapporteur: Emil Radev

Administrator: Zampia Vernadaki

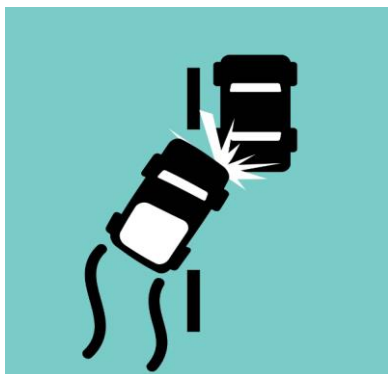
Preliminary Timetable

Consideration of AMs: 03.05.2017

Adoption JURI: 30.05.2017

Plenary: 03-06.07.2017 (tbc)

Limitation periods for traffic accidents



Almost 10 years have passed since Parliament's resolution on 'Limitation periods in cross-border disputes involving personal injuries and fatal accidents' (2006/2014 (INL)), and despite relevant public consultations and studies, the Commission has not yet prepared a specific legislative proposal. Limitation periods for tort claims vary widely between the Member States. Specifically, while legal systems in continental Europe refer to 'prescription periods', namely periods of time after the expiry of which a claim is deemed extinguished; in common law countries there are only 'limitation periods', which indicate the time after which the right to lodge a claim is barred, albeit the claim itself is not extinguished. What is more, discrepancies in national limitation laws exist with regard to the commencement of the running of time in general, or in the case of minors and disabled persons in particular, as well as with regard to the capacity to stop or interrupt the running of limitation.

In the case of cross-border accidents, the time limits applicable for instituting a claim are determined on the basis of the law of the Member State where the accident occurred, in accordance with the Rome II Regulation (Article 15). National laws on limitation and prescription periods can be very complex, and victims will generally not be familiar with the rules of the Member States they are travelling in. This, combined with the discrepancies between different limitation laws, can lead to undesirable consequences for the victims, creating unnecessary obstacles to securing their right to reparation and to timely litigation at reasonable cost.

Procedure: [2015/2087\(INL\)](#)

Legal basis: Rule 46 RoP / Article 225 TFEU

Rapporteur: Pavel Svoboda

Administrator: Zampia Vernadaki

Preliminary Timetable

Consideration of AMs: 03.05.2017

Adoption JURI: 30.05.2017

Plenary: 03-06.07.2017(tbc)

Limitation periods for claims are essential to ensure legal certainty and the finality of disputes. These interests should be balanced with the fundamental right to obtain an effective remedy, since unnecessarily short limitation periods could obstruct effective access to justice across the EU. EU legislation has not harmonised the rules on limitation and prescription periods, neither in general nor concerning traffic accidents in particular. The forthcoming own-initiative report thus constitutes a unique opportunity for the European Parliament and the Legal Affairs Committee to lead developments towards both greater legal certainty at EU level and the simplification and clarification of existing national regimes.

On 23 March, and after a European added value study was prepared by EPRS and a public hearing held in JURI, the rapporteur, Pavel Svoboda, presented his draft report with recommendations to the Commission for minimum standards regarding the overall time limit to bring a claim, the beginning of the time period and the suspension of the period, and the information obligations for actions falling within the scope of application of the Motor Insurance Directive, namely actions against insurers and compensation bodies, to the extent that they have a cross border nature. A legislative

measure in these terms could be correctly based on Art 81(2) of the Treaty on the Functioning of the European Union (TFEU) and would arguably resolve most of the problems currently encountered by visiting victims, also leading to savings in terms of legal costs and delays.

At this meeting, the Committee on Legal Affairs will consider the 16 amendments tabled to the draft report, which mainly seek further to underline the difficulties and obstacles faced by victims of cross-border road traffic accidents to access justice and seek compensation of loss, damage or personal injury suffered, mainly due to the divergences between Member States' rules of time limits.

Proposal for a directive on the country-by-country reporting

On 12 April 2016, the Commission submitted a long-awaited proposal for a Directive amending Directive 2013/34/EU as regards disclosure of income tax information by certain undertakings and branches, generally known as 'the country-by-country reporting' proposal.

According to the proposal, enhanced public scrutiny of corporate income taxes due by multinational undertakings carrying out activities in the Union is an essential element further to foster corporate responsibility, to contribute to welfare through taxes, to promote fairer tax competition within the Union through a better informed public debate, and to restore public trust in the fairness of the national tax systems. Such public scrutiny can be achieved by means of a report on income tax information, irrespective of where the ultimate parent undertaking of the multinational group is established. Consequently, under this proposal, multinationals with an annual net turnover exceeding a certain amount will be required to publish a report on income tax information on an annual basis.

The Committee on Legal Affairs (JURI) and the Committee on Economic and Monetary Affairs (ECON) have been associated under Rule 55 and will therefore be dealing with this proposal jointly. The file will be dealt with under the ordinary legislative procedure as required by Article 50 TFEU, which constitutes the legal basis of the proposal. The deadline for amendments expired on 15 March 2017. At this meeting, the committees will consider the amendments that have been tabled. The main areas for discussion are the threshold (in terms of turnover) above which companies will be requested to apply public country-by-country reporting; the information to be made public, and whether, when it comes to activities outside the EU, the information should be provided country by country or in an aggregated manner.

Procedure:

[2016/0107\(COD\)](#)

Basic doc: [COM\(2016\)198](#)

Legal basis: Article 50 TFEU

Rapporteur: Evelyn Regner (JURI); Hugues Bayet (ECON)

Administrator: Francisco Ruiz-Risueno (JURI); Benoit Wets (ECON)

Preliminary Timetable

Consideration of amendments: 03.05.2017

Adoption ECON-JURI: 29-30.05.2017

LEGAL BASIS

Posting of workers, consideration of legal basis

The committee will consider a request from the Committee on Employment and Social Affairs for an opinion on the correct legal basis for the proposal for a revision of Directive 96/71/EC on Posting of Workers. The draft report by the co-rapporteurs in EMPL propose to add Articles 151 TFEU and Article 153(1) TFEU, points (a) and (b) as legal bases, which would emphasise the social policy aspects of the directive to be adopted. Some of the amendments to the draft report also seek to base the directive on Article 153 TFEU as a whole, or to add Article 46 TFEU, while others aim at adding Article 56 TFEU or to replace Article 53(1) by Articles 54 and 56 TFEU. Amendments, often similar, to change the legal basis have also been tabled to the draft opinion from JURI on the proposal.



The European Commission presented its proposal for a directive amending Directive 96/71 concerning the posting of workers in the framework of the provision of services on the basis of Articles 53 and 62 TFEU, that is to say, the articles on which the existing directive is based. These articles provide the legal bases for the right of establishment and the freedom to provide services, respectively.

Instrument contributing to stability and peace

On 5 July 2016 the Commission submitted a proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 230/2014 of the European Parliament and of the Council of 11 March 2014 establishing an instrument contributing to stability and peace (COM(2016)0447 - 2016/0207(COD)).

The proposal aims at introducing a new article into Title II of the above Regulation in order to extend the Union's assistance, under exceptional circumstances, for building the capacity of military actors in partner countries in order to contribute to sustainable development and to the achievement of peaceful and inclusive societies.

The proposal is based on Articles 209(1) and 212(2) TFEU. Article 209(1) TFEU is part of Title III on cooperation with third countries and humanitarian aid, and allows for the adoption by the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, of measures necessary for the implementation of development cooperation policy, which may relate to multiannual cooperation programmes with developing countries or programmes with a thematic approach. According to Article 212(2) TFEU, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall adopt economic, financial and technical cooperation measures, including financial assistance with third countries other than developing countries.

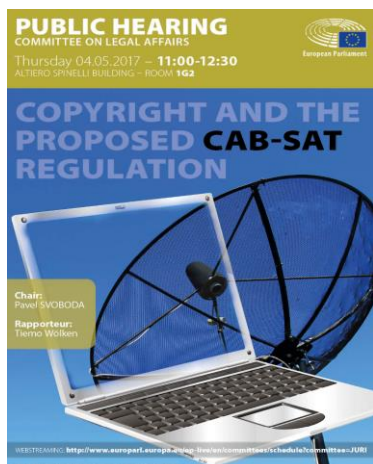
At the coordinators' meeting of 11 July 2016, the Committee on Legal Affairs decided to examine, on its own initiative and on the basis of Rule 39(3) RoP, the legal basis of the above proposal. Also, by letter of 15 November 2016, the Chair of the Committee on Development requested the Committee on Legal Affairs under Rule 39 RoP to verify the legal basis of the said legislative proposal.

Financial rules applicable to the general budget of the Union

At this meeting, the Committee will adopt its opinion on whether the legal basis quoted by the Commission in its proposal for a regulation of the European Parliament and the Council on the financial rules applicable to the general budget of the Union COM(2016)0605. In the proposal the Commission makes reference to 16 different provisions in the Treaty on the Functioning of the European Union, and amongst them Articles 209 (1) and 322 (2). The question from the responsible committees – BUDG and CONT – is whether the references made are correct as regards these two provisions.

TFEU Article 209 (1) provides a basis to adopt measures necessary for the implementation of development cooperation policy and Article 322 (2) can serve as a basis to determine methods and procedure whereby budget revenue is made available to the Commission, whereas the first paragraph of the same Article for basis for adoption of rules for establishing and implementing the budget.

At the meeting, the JURI Committee will determine whether the reference to article 209 (1) TFEU is superfluous and whether the reference to Article 322 should rightly have been to its first paragraph.



UPCOMING EVENTS

Hearing on Copyright and the proposed Cab-Sat Regulation

On 4 May 2017, from 11.00 to 12.30, the Committee on Legal Affairs will hold a public hearing on the Commission's proposal for a Regulation laying down 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 proposed regulation is better known as the Cab-Sat regulation and forms part of the copyright package which was presented by the Commission on 14 September 2016.

In addition to a brief presentation of the proposal by the Commission's services, the Committee will hear different expert perspectives on the proposal from stakeholders representing public service media, commercial television, business and academia.

Hearing of the selected candidates for the post of chairperson of the Second Board of Appeal of the EUIPO

The term of office of the chairperson of the Second Board of Appeal of the European Union Intellectual Property Office (EUIPO) will expire on 31 July 2017. The selection procedure has been launched in 2016.

The revised EU Trade Mark Regulation (EUTMR) provides for the participation of the committee responsible in Parliament - the Legal Affairs Committee - in the appointment of the top management of European Union Intellectual Property Office (EUIPO), including the chairpersons of the Boards of Appeal.

According to the EUTMR, the chairpersons of the Boards of Appeal are appointed by the Council of the European Union upon a proposal by the Management Board of the EUIPO. Prior to appointment, the committee responsible in Parliament has the possibility to invite the candidates selected by the Management Board of the EUIPO to make a statement and to answer questions put by the Members of this committee. That is the purpose of the hearing that will take place at this meeting of the Legal

PAST EVENTS

2nd annual plenary of the European Justice Stakeholder Forum 2017



'Access to effective justice for EU citizens'

Following the successful launch in 2016 of the European Justice Stakeholder Forum (EJSF), the 2nd annual plenary of the EJSF took place in the European Economic and Social Committee (EESC) in Brussels on 24 April.

The event was hosted by EESC member and lawyer, Mr Arno Metzler. Distinguished participants included MEP Therese Comodini Cachia, member of JURI; MEP Pedro Silva Pereira, vice chair of AFCO; MEP Heidi Hautala; MEP Anne-Marie Mineur; Commission Director DG JUST Paul Nemitz; Diana Wallis, President of the European Law Institute; Judge Wojciech Postulski, Secretary General of

the European Judicial Training Network (EJTN) as well as legal practitioners and academics.

The overall theme of this year's event was 'Access to effective justice for EU citizens', with a focus on three specific topics: digitalisation and access to justice, rethinking EU citizenship in the wake of Brexit, and the UNGPs on business and human rights for EU lawyers, citizens and business.

A general conclusion was the importance of providing effective access to law and justice for citizens in Europe as a basic principle of the rule of law in the EU.

Other conclusions included the need to:

- Protect citizens and their rights including their right to privacy in this new technological world

- Ensure legal certainty and fairness for all citizens affected by the UK's withdrawal from the EU
- Recognise the different legal traditions in Europe, to meet, share and communicate
- Provide effective redress and enforcement in Europe for victims of human rights abuses.

The EJSF is a high level forum for regular discussion and engagement between legal practitioners – lawyers, notaries, legal counsel - and EU law and policymakers – mainly EU institutions - on major challenges facing EU citizens, the justice sector, legal profession and the rule of law.

For further information on the plenary conclusions, please contact the Legal Affairs Secretariat at: juri-secretariat@europarl.europa.eu

Hearing on Environmental Liability Directive, on 11.4.2017



Workshop on Judicial Training, on 12.4.2017



SUBSIDIARITY (RULE 42)



The following reasoned opinion received from national parliaments will be announced in the meeting:

Proposal for a directive of the European Parliament and of the Council on the enforcement of Directive 2006/123/EC on services in the internal market, laying down a notification procedure for authorisation schemes and requirements related to services, and amending Directive 2006/123/EC and Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System - COM(2016)0821-2016/0398(COD)

- the French Senate
- the German Bundesrat

- the German Bundestag

Proposal for a directive of the European Parliament and of the Council on a proportionality test before adoption of new regulation of professions - COM(2016)0822-2016/0404(COD)

- the French Senate

Proposal for a directive of the European Parliament and of the Council on the legal and operational framework of the European services e-card introduced by Regulation ... [ESC Regulation] - COM(2016)0823-2016/0402(COD)

- the Bundesrat of the Republic of Austria

Proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 575/2013 as regards the leverage ratio, the net stable funding ratio, requirements for own funds and eligible liabilities, counterparty credit risk, market risk, exposures to central counterparties, exposures to collective investment undertakings, large exposures, reporting and disclosure requirements and amending Regulation (EU) No 648/2012 COM(2016)0850-2016/0360(COD)

- the Swedish Parliament (Riksdag)

SCRUTINY OF DELEGATED ACTS AND IMPLEMENTING MEASURES



Commission implementing regulation (EU) .../... of XXX replacing Annex X to Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations

Annex X to Regulation (EC) No 4/2009 lists administrative authorities referred to in Article 2(2) of that Regulation (i.e. administrative authorities with competence in matters relating to maintenance obligations which comply with specific criteria and are thus similar to courts for the purpose of the Regulation).

As the United Kingdom has notified the Commission of a change to the administrative authorities to be listed in Annex X to Regulation (EC) No 4/2009, the implementing regulation in question updates Annex X accordingly. These measures are in accordance with the opinion of the Committee concerning applicable law, jurisdiction and enforcement in matrimonial matters, parental responsibility and maintenance obligations.

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

Commission Regulation (EU) .../... of XXX correcting the Bulgarian, Finnish, German, Portuguese and Spanish language versions of Regulation (EU) No 432/2012 establishing a list of permitted health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health

Legal basis: Article 13(4) of Regulation (EC) No 1924/2006 of the European Parliament and of the Council of 20 December 2006

Rapporteur: Angel Dzhambazki

Administrator: Andrea Scrimali

Committee responsible: LIBE

Preliminary timetable

Exchange of views: 3-4.05.2017

The Bulgarian, German and Spanish language versions of Commission Regulation (EU) No 432/2012

contain an error in the claim concerning the first occurrence of the nutrient, substance, food or food category 'Meal replacement for weight control' in the Annex. The Finnish language version of Regulation (EU) No 432/2012 contains an error in the conditions and/or restrictions of use of the food and/or additional statement or warning concerning the second occurrence of the nutrient, substance, food or food category 'Meal replacement for weight control' in the Annex. The Portuguese language version of Regulation (EU) No 432/2012 contains an error in the conditions and/or restrictions of use of the food and/or additional statement or warning concerning both occurrences of the nutrient, substance, food or food category 'Meal replacement for weight control' in the Annex.

Legal basis: Article 73(1) and (2) of Council Regulation (EC) No 4/2009 of 18 December 2008

Rapporteur: Angel Dzhambazki

Administrator: Andrea Scrimali

Committee responsible: LIBE

Preliminary timetable

Exchange of views: 3-4.05.2017

In light of the above, the Commission Regulation in question aims at correcting the Bulgarian, Finnish, German, Spanish and Portuguese language versions of Regulation (EU) No 432/2012. The other language versions are not affected. These measures are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed.

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

Commission Regulation (EU) .../... of XXX refusing to authorise a health claim made on foods, other than those referring to the reduction of disease risk and to children's development and health

Legal basis: Article 18(5) of Regulation (EC) No 1924/2006 of the European Parliament and of the Council of 20 December 2006

Rapporteur: Angel Dzhambazki

Administrator: Andrea Scrimali

Committee responsible: LIBE

Preliminary timetable

Exchange of views: 3-4.05.2017

Pursuant to Regulation (EC) No 1924/2006 health claims made on foods are prohibited unless they are authorised by the Commission in accordance with that Regulation and included in a list of permitted claims. Regulation (EC) No 1924/2006 also provides that applications for authorisations of health claims may be submitted by food business operators to the national competent authority of a Member State. The national competent authority is to forward valid applications to the European Food Safety Authority (EFSA), for a scientific assessment, as well as to the Commission and the Member States for information. EFSA is to deliver an opinion on the health claim concerned and the Commission is to decide on the authorisation of health claims taking into account the opinion delivered by EFSA.

In the present case, EFSA was required to deliver an opinion on a health claim related to short-chain fructooligosaccharides from sucrose. Based on a negative opinion from EFSA, the Commission concludes that the claim does not comply with the requirements of Regulation (EC) No 1924/2006 and, by means of the Commission Regulation in question, refuses to authorise its inclusion in the list of permitted claims. These measures are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed.

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

IN CAMERA**DISPUTES INVOLVING PARLIAMENT**

Case T-130/17, Polskie Górnictwo Naftowe i Gazownictwo (PGNiG S.A)/ Commission - Plea of illegality - Inapplicability of Article 2(33) of Directive 2009/73/EC concerning common rules for the internal market in natural gas, read in conjunction with Article 36(1) of that Directive - Possible intervention of the European Parliament



The present case raises the issue of the legality of certain provisions laid down in Directive 2009/73/EC.

This Directive establishes common rules for the transmission, distribution, supply and storage of natural gas. It lays down the rules relating to the organisation and functioning of the natural gas sector, access to the market, the criteria and procedures applicable to the granting of authorisations for transmission, distribution, supply and storage of natural gas and the operation of systems.

This action is related to Case T-849/16, PGNiG Supply & Trading GmbH/Commission in which the German subsidiary of PGNiG brought an action for the annulment of the contested Commission's Decision on the same grounds. Parliament has already requested leave to intervene in that case.

At this meeting, the committee will decide, bearing in mind the Guidelines for the application of Rule 141 of Parliament's Rules of Procedure, whether to recommend to the President under Rule 141(4) that Parliament submit observations in the proceedings pending before the Court of Justice in order to defend the validity of that directive.

IMMUNITIES**Rolandas Paksas****EXCHANGE OF VIEWS WITH LITHUANIAN GENERAL PROSECUTOR**

Type of procedure: Waiver of immunity

Procedure: 2016/2070(IMM)

Legal basis: RoP Rule 6

Notice to Members: 14/2016

Rapporteur: Angel Dzhambazki

Administrator: Magnus Nordanskog

Preliminary Timetable:

Exchange of views with Lithuanian general prosecutor: 03.05.2017

Stanislav Polčák**EXCHANGE OF VIEWS**

Type of procedure: waiver

Procedure: 2017/2034(IMM)

Legal basis: RoP Rule 6

Notices to Members: 12/2017

Rapporteur: Jean-Marie Cavada

Administrator: Valeria Ghilardi

Preliminary Timetable:

Exchange of views: 11.04.2017

Hearing: 03.05.2017

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Head of Secretariat: Robert BRAY

Responsible Administrator: Alexander KEYS

Editorial/Production Assistant: Natalia EWIAKOVA