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Minister Shatter presents Presidency priorities in the JHA area to European Parliament

22nd January 2013

The Minister for Justice, Equality and Defence, Alan Shatter TD, today presented the Irish Presidency priorities in the JHA area to the JURI and LIBE Committees of the European Parliament.

Minister Shatter said “the challenge of returning Europe’s economy to a strong and stable position, generating growth and creating jobs will dominate our efforts through Ireland’s Presidency. It is important to recognise and prioritise what we in the Justice and Home Affairs area can do to promote economic activity and growth, and vitally, encourage job creation throughout the Union.”

The Minister informed the Committees that the Presidency is fully supportive of the concept of Justice for Growth and will work to progress those legislative measures which have the best potential to contribute to growth and jobs. In particular, he highlighted the European Account Preservation Order, the Insolvency proposals and the Data Protection package as measures that will be given priority during the Presidency.

European Account Preservation Order

Speaking to the JURI Committee about the European Account Preservation Order, the Minister said “This is a welcome initiative in assisting creditors and should lead to a reduction in the risks involved in cross-border trade and thereby encourage more cross-border business activity.”

Insolvency

In relation to the European Commission's new Insolvency proposals, the Minister stressed the importance of the EU being seen to respond to the very significant indebtedness problems that both businesses and citizens are suffering. Speaking in regard to cross-border insolvency proceedings, the Minister highlighted the challenge of moving away, where possible and appropriate, from a liquidation approach to insolvency to that of rescue and restructuring.

Data Protection

Speaking to the LIBE Committee, the Minister emphasised the priority being given to the reform of EU Data Protection laws by the Irish Presidency. He told the Committee, "Data Protection measures will not only serve to protect the privacy of all European citizens, a valuable end in itself, but in doing so they will also increase the confidence and trust consumers have in online transactions and encourage their greater use. These measures can contribute to increased cross-border trade in the internal market and to higher levels of investment, innovation and, ultimately employment in this expanding area".

Tackling Crime

The Minister also informed the Committee that the Directive on the freezing and confiscation of proceeds of crime is another key priority for the Presidency. He pointed to the success of the Irish Criminal Assets Bureau in targeting the proceeds of crime and expressed the hope that mutual recognition proposals will be presented by the European Commission in the near future dealing with mutual recognition across the EU of confiscation orders made in individual Member States.

Passenger Name Records Directive

The Minister also highlighted the proposed Passenger Name Records Directive (PNR) as an important commitment in the context of the fight against terrorism and serious crime and one which is a priority for the EU. "PNR is a tool of proven

value to police and intelligence services in combating the scourges of drug smuggling, trafficking in human beings and, of course, terrorism, all of which pose shared threats to the EU Member States” said the Minister. He also stressed the importance of prioritising the safety of citizens and the need for Member States to work together to that end.

The Minister informed the Committee of the Presidency intentions in relation to the Schengen-related dossiers and other Immigration, Visas and Asylum matters that will be active during the Presidency; in particular, he indicated the aim of the Presidency to complete the negotiations on the proposed Common European Asylum System.

22 January 2013

ENDS

Note for Editors:

JURI Committee

The Committee on Legal Affairs (JURI) is responsible for:

1. The interpretation and application of Union law and compliance of Union acts with primary law, notably the choice of legal bases and respect for the principles of subsidiarity and proportionality;

2. The interpretation and application of international law, in so far as the European Union is affected;
3. The simplification of Union law, in particular legislative proposals for its official codification;
4. The legal protection of Parliament's rights and prerogatives, including its involvement in actions before the Court of Justice of the European Union;
5. Union acts which affect the Member States' legal order, namely in the fields of:
 - (a) civil and commercial law,
 - (b) company law,
 - (c) intellectual property law,
 - (d) procedural law;
6. Measures concerning judicial and administrative cooperation in civil matters;
7. Environmental liability and sanctions against environmental crime;
8. Ethical questions related to new technologies, applying the procedure with associated committees with the relevant committees;
9. The Statute for Members and the Staff Regulations of the European Union;
10. Privileges and immunities as well as verification of Members' credentials;
11. The organisation and statute of the Court of Justice of the European Union;
12. The Office for Harmonisation in the Internal Market.

JURI has a highly specialised role as the legal adviser of Parliament on a certain number of horizontal questions: the legal basis of Union acts, implementing and

delegated acts, and issues concerning subsidiarity and disputes involving Parliament.

JURI has 50 members and substitutes.

LIBE Committee

The LIBE committee is one of the most important and active committees of the EP, both in terms of its size (it is one the largest with 118 MEPs, of whom 60 are members and 58 substitutes) and above all in terms of its co-legislative activities, especially since the entry into force of the Treaty of Lisbon. Practically the whole field of JHA is now subject to co-decision, with the exception of family law, operational police cooperation and a few other areas.

The LIBE committee is in charge of most of the legislation and democratic oversight for policies linked to the transformation of the European Union in the area of freedom, security and justice. These policies are intertwined with the implementation of the EU Charter of Fundamental Rights and with the strengthening of the EU citizenship.

The LIBE Committee is responsible for:

1. The protection within the territory of the Union of citizens' rights, human rights and fundamental rights, including the protection of minorities, as laid down in the Treaties and in the Charter of Fundamental Rights of the European Union;
2. The measures needed to combat all forms of discrimination other than those based on sex or those occurring at the workplace and in the labour market;
3. Legislation in the areas of transparency and of the protection of natural persons with regard to the processing of personal data;
4. The establishment and development of an area of freedom, security and justice, in particular:
 - (a) measures concerning the entry and movement of persons, asylum and migration,

(b) measures concerning an integrated management of the common borders,

(c) measures relating to police and judicial cooperation in criminal matters;

5. The European Monitoring Centre for Drugs and Drug Addiction and the European Union Agency for Fundamental Rights, Europol, Eurojust, Cefpol and other bodies and agencies in the same area;

6. The determination of a clear risk of a serious breach by a Member State of the principles common to the Member States.

Data Protection Regulation and Directive – these measures are aimed at ensuring that citizens have control over their personal data, strengthening confidence in the digital economy and supporting the growth of the Digital Single Market.

Aim of Presidency: The Presidency intends to hold a large number of Working Party meetings with a view to advancing both measures as far as possible. The aim is to secure agreement on key aspects of the Regulation while not neglecting the Directive.

Regulation creating a European Account Preservation Order – the general objectives of this measure are to facilitate the recovery of cross-border claims for citizens and businesses, in particular SMEs, and to improve the efficiency of enforcement of judgments in civil and commercial matters concerning cross-border disputes.

Aim of Presidency: The Presidency aims to reach agreement on broad guidelines or specific elements in relation to the proposal.

Regulation dealing with insolvency – this proposed revision of the 2000 Insolvency Regulation aims to modernise the existing insolvency rules to facilitate an EU "rescue and recovery" culture for companies and individuals in financial

difficulties. The proposal will also make cross-border insolvency proceedings more efficient and effective.

Aim of Presidency: The Presidency initiated the discussions on this dossier at the Informal Council on 17/18 January and will seek to advance it as far as possible.

Schengen-related dossiers—

- Implementation of the SIS II project – the second generation of the Schengen Information system (SIS II) is scheduled to become fully operational by end March 2013
- Schengen Governance Package – this 'package' comprises two proposals:
- a Regulation on an evaluation mechanism to verify application of the Schengen acquis;
- and amendments to the Schengen Borders Code to provide stricter common rules on the temporary reintroduction of internal border controls.

Aim of Presidency: The aim of the Presidency is to conclude negotiations.

- Draft Council Decision on the accession of Bulgaria and Romania to the Schengen area.

Aim of Presidency: The Presidency will continue negotiations in Council to advance agreement on the accession of Bulgaria and Romania to the Schengen Convention.

Directive on the confiscation and recovery of criminal assets – this proposal seeks to lay down minimum rules for Member States with respect to freezing and confiscation of criminal assets.

Aim of Presidency: The Presidency will seek to reach an agreement on this dossier with the European Parliament.

Package of measures on the Common European Asylum System (CEAS) – there are two remaining elements of the proposed CEAS to be finalised, the Asylum Procedures Directive (provides for minimum standards on procedures for granting and withdrawing refugee status) and the Eurodac Regulation (concerns the system for comparing fingerprints of asylum seekers and some categories of illegal immigrants).

Aim of Presidency: The Presidency will seek to reach agreement on these dossiers with the European Parliament.

Directive on the use of Passenger Name Records data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime – this proposal aims to harmonise obligations for air carriers, who operate flights between a third country and the territory of at least one Member State and between Member States, to transmit Passenger Name Record data to the competent authorities.

Aim of Presidency: The Presidency will work to progress negotiations with the European Parliament.