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COMMITTEE ON CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS  
COMMITTEE ON LEGAL AFFAIRS  
COMMITTEE ON WOMEN'S RIGHTS AND GENDER EQUALITY  
- THE CHAIRMEN -

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CONFIDENTIAL

Jerzy Buzek  
President  
EUROPEAN PARLIAMENT

Dear Mr President,

In accordance with Rule 106 of the Rules of Procedure of the European Parliament, the Committee on Civil Liberties, Justice and Home Affairs, the Committee on Legal Affairs and the Committee on Women's Rights and Gender Equality held a public hearing on Tuesday 12 January 2010 with Viviane Reding, Commissioner-designate, who, subject to the positive outcome of the nomination procedure, will be responsible for Justice, Fundamental Rights and Citizenship.

Prior to the hearing, Parliament had sent the Commissioner-designate a list of written questions, as well as a list of priorities added by our committees relating to their areas of responsibility.

**The course of the hearing**

As far as the Committee on Civil Liberties, Justice and Home Affairs is concerned:

The committee noted that Ms Reding answered its written questions and dealt with the priorities outlined satisfactorily.

Ms Reding opened the hearing by identifying three priorities: (1) strengthening privacy and data protection, also in the areas of criminal law and relations with third countries, including the US; (2) strengthening free movement as a core right of citizens, while enforcing Union law vigorously; (3) prioritising defence rights, fair procedures, detainees' rights and victims' rights while applying common fundamental rights standards.

Members then asked questions on the following subjects in particular: citizens' rights, security and fundamental rights, verification of respect for human rights by Member States; defence of citizens' freedoms; SWIFT; mutual recognition and improving effectiveness of existing measures; protection of traditional national minorities; accession to the ECHR; extension of the Fundamental Rights Agency; rights of children; homophobia; freedom of religion; body

scanners; equal treatment of men and women, citizens' initiatives, and the European Public Prosecutor's Office and Eurojust.

During the debate, Ms Reding made specific commitments regarding her future Commission portfolio, in particular, to mainstream fundamental rights, also with third countries, and conduct fundamental rights impact assessments, to press ahead swiftly with the negotiations for accession to the ECHR as soon as she had a mandate, to provide an annual report on the application of the EU Charter, to mainstream minors' rights and to work closely with the committee

As far as the Committee on Legal Affairs is concerned:

The committee noted that Ms Reding answered its written questions and dealt with the priorities outlined satisfactorily.

Ms Reding opened the hearing by affirming that law was what makes the Union. She was enthusiastic about utilising the opportunities of the Lisbon Treaty to the full.

Members then asked questions on the following subjects in particular: the law applicable to divorce; equal treatment, consumer protection and employment disputes; authentic acts; copyright and the internet; access to justice; contract law; application of Union law; a European Civil Code; wills and succession; training of lawyers and judges; communication policy and family law; protection of vulnerable adults; criminal sanctions for infringement of IP rights; seizure of assets resulting from cross-border crime.

During the debate, Ms Reding made specific commitments regarding her future Commission portfolio, in particular, to the effect that there would be a revised proposal on the law applicable to divorce in 2010, a detailed immediate roadmap for contract law, a public consultation on authentic acts with a view possibly to a legislative proposal, that impact assessments would take account of national legal systems and fundamental rights, that criminal sanctions for counterfeiting would exclude file-sharing and that there would be a single legal portal. She also gave an undertaking to have the CFR translated and to improve public communication on legal affairs issues and promised that there would be a special focus on the implementation of EU law in dialogue with the committee.

As far as the Committee on Women's Rights and Gender Equality is concerned:

The committee noted that Ms Reding answered the written questions satisfactorily. It noted particularly her commitment to support the work on a Women's Charter.

Ms Reding opened the hearing by making a statement in which she referred to the fact that her role as Commissioner for Fundamental Rights, which is a horizontal responsibility, can be instrumental in moving forward on gender equality.

Members then asked questions on the following subjects in particular: the gender pay gap, violence against women, priorities for the new roadmap, maternity and paternity leave.

During the debate, Ms Reding made some specific remarks regarding her future Commission portfolio and proposed: going ahead with the maternity leave legislation and assessing separately the need for paternity leave; giving priority to tackling the gender pay gap and to combating violence in the forthcoming equality strategy; integrating instead of annexing gender equality issues in the annual employment strategy; possibly legislating on Female Genital

Mutilation (FGM) in the context of criminal law; reinforcing collaboration with women's organisations and non-governmental organisations.

The Commissioner-designate also added that the role of women in decision-making is not what it needs to be and that a lot of work remains to be done.

### **Evaluation**

On the basis of the responses of the Members present at the hearing, as well as the comments made by our committees, who met after the hearing under our chairmanship, we hereby give the following assessment:

As far as the Committee on Civil Liberties, Justice and Home Affairs is concerned, it considers:

That the Commissioner designate is suitable for the mandate proposed by President Barroso. As far as the competences of the committee are concerned, the candidate showed a clear commitment to fundamental rights protection and promotion within the framework of the new binding EU Charter, including when security measures are at stake. On the basis of the Commissioner-designate's statements today, the committee expects that she will actively enforce fundamental rights throughout the EU. The committee welcomes her commitment to the citizens' rights, as well as her engagement on data protection, enhanced transparency and enhanced cooperation between Member States, fairness of trials, defendants' and victims' rights, fair conditions of imprisonment and proportionality of security measures. The committee asks the Commissioner-delegate to cooperate on anti-discrimination policies with other Members of the Commission. The committee appreciates her engagement in preserving the EU notion of fundamental rights in referring regularly to the committee to share information about possible infringements as they emerge from the Commission's own knowledge or from Member States.

As far as the Committee on Legal Affairs is concerned:

Although Ms Reding lacks specific legal knowledge and experience - as she herself admitted - , the Legal Affairs Committee considers that this is more than made up for by her political experience as a Commissioner and a former member of the European Parliament. She evidently mastered her brief, was confident in handling members' questions and showed considerable willingness to give firm commitments. Mrs Reding's receptiveness to Parliamentary initiatives and her willingness to consult and report to her Parliamentary committee seemed genuine.

As far as the Committee on Women's Rights and Gender Equality is concerned:

Ms Reding has the experience and the personal qualifications required for a Commissioner in charge of the gender equality portfolio. She showed good abilities to communicate and a clear view of how to enhance communication about the European Union to citizens and to women in particular. The committee recognised her sincere commitment to gender equality and her will to work closely with Parliament and in particular the Committee on Women's rights and Gender Equality.

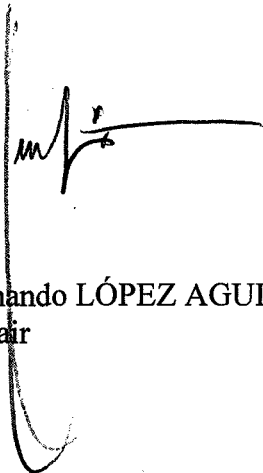
Ms Reding's answers were sometimes not concrete enough and she did not make any firm commitment to putting forward legislative proposals on paternity leave, violence against women and the gender pay gap. However, she showed that she has a good overview of the gender equality policy area and of the close links this has with other issues in her portfolio and with the

responsibilities of other Commissioners. The committee also noted her strong commitment to implementation of EU legislation.

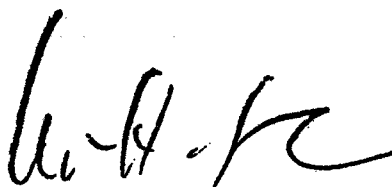
The general outcome of this hearing is that the Commissioner-designate has given a positive impression of her aptitude to be a member of the College of Commissioners and to carry out the specific tasks assigned to her.

This represents a consensus of the Members who attended the hearing.

Yours sincerely,



Juan Fernando LÓPEZ AGUILAR  
LIBE Chair



Klaus-Heiner LEHNE  
JURI Chair



Eva-Britt SVENSSON  
FEMM Chair