

**MEETING OF CHAIRS OF PARLIAMENTARY COMMITTEES
RESPONSIBLE FOR FUNDAMENTAL RIGHTS**

13 OCTOBER, ROME

Morten Kjærum

Director of the European Union Agency for Fundamental Rights

Members of Parliament,

Ladies and gentlemen,

I would like to thank the Italian Presidency of the European Union for this invitation and important initiative.

This is a very opportune moment to meet and discuss a common path to promote and protect fundamental rights.

Soon a new European Commission, with an ambitious set of priorities around growth, jobs and trust, and an underlying imperative to reconnect with citizens and Member States will begin work.

This is an opportunity to reaffirm and strengthen our commitment to fundamental rights. And if there is one message I would like you to remember from my ten-minute speech then it is that the EU institutions will need the support and cooperation of national parliaments in protecting these fundamental values, which lie at the very heart of the European project.

Fundamental rights matters to our citizens - that we see time and again in Eurobarometer surveys. Yet the experiences and demands of our citizens tell us that the job is unfinished.

The FRA Annual Report, which we have brought to this meeting, shows how some of our fundamental values have come under strain during the current crisis. Trust between people, trust between communities, and trust in our democratic institutions has suffered.

Respecting, protecting and fulfilling fundamental rights is one way of regaining this trust at national, as well as at EU level.

The competence for implementing fundamental rights is shared between Member States and the EU. But it is our common responsibility. Therefore promoting and protecting fundamental rights has to be an area where EU institutions, governments and national parliaments work together hand in hand. I will illustrate this later with two concrete examples. I will then suggest how to strengthen this “fundamental rights partnership” inside the European Union.

But first, we should not forget to acknowledge that the EU has much to be proud of: Our citizens enjoy a degree of justice, freedom and security, envied in many parts of the world. We have a legally-binding Fundamental Rights Charter. We have ground-breaking EU rules to protect people against discrimination, to allow citizens move freely in the EU and to safeguard people's right to privacy. And we have the tools to enforce the legislation.

But we should not be complacent. There are areas of serious concern where our citizens require stronger protection of their rights so that the Charter becomes a reality for everybody.

1) Take data protection

The revelations about mass electronic surveillance programmes have undermined EU citizens' trust in the protection of their fundamental rights. They revealed weaknesses in democratic accountability and oversight, which is why the European Parliament is looking into this as a matter of priority. And as this issue crosses borders, we need the European Parliament to work with you to regain citizen's trust.

One way to do this is to establish transparent, independent, and therefore credible, mechanisms that protect citizen's rights and grant them access to remedies. We need more democratic oversight on the intelligence services.

This requires work among national parliaments, and between national parliaments and EU institutions and agencies. And I am pleased to note that next spring an inter-parliamentary meeting on parliamentary oversight mechanisms in data protection is already on the European Parliament's cards.

I have just been participating in a number of high-level EU meetings on redefining the EU's internal security strategy for the coming years. I think there is growing recognition that we must include fundamental rights into the design of security measures to increase their proportionality and legitimacy. "Fundamental rights by design" – so to say. The Court of Justice's annulment of the data retention directive has underlined this.

Surely, we can only guarantee security to our citizens through transnational cooperation between police and judicial authorities. The same is true for protecting fundamental rights: it requires transnational cooperation. This is where citizens can benefit from the cooperation between EU and national parliaments in scrutinising policies for fundamental rights-compliance.

The EU Treaties themselves spell out the role national parliaments should play in evaluating the implementation of EU policies in the area of freedom, security and justice.

2) **Rule of law** is my second example.

This also is an area in which we must work together to deliver on our shared responsibility for fundamental rights.

Recent events in a couple of Member States raised the question of what to do in cases where EU basic principles and core values have been breached. The Communication from the Commission on the rule of law has established a new framework to strengthen the EU's response to potential breaches of the rule of law.

This is a positive step forward to address systemic deficits in EU Member States which impact adversely on the integrity of national institutions and mechanisms established to secure the rule of law.

FRA's own research and large-scale surveys uncovered a certain sense of anxiety amongst people across the EU. Across our different surveys, victims have reported a lack of trust in law enforcement and other institutions in addressing the violation of their fundamental rights. This goes for hate crime and discrimination, as well as for gender-based violence. For example, according to our recent EU-wide survey on violence against women, two thirds of women did not report the most serious incident of physical or sexual violence carried out by their partners to the police or any other organisation.

A fair judicial system, effective law enforcement, independent institutions and a vibrant civil society are the basic elements for people to trust that they will be

heard, protected, receive support and possibly legal aid, and finally obtain justice.

This trust is a precondition for so many actions. Citizens should be able to take this for granted across EU Member States. Take the European arrest warrant - if you cannot trust the judiciary in one Member State then the actual basis for the arrest warrant is undermined.

Here again your parliamentary committees play a vital role. You can review national laws and policies while looking at how the EU's core values are upheld in your country. And you are the filter which guarantees that EU directives are transposed in a fundamental rights compliant way. In this way you crucially complement the work of the European Commission as guardian of the Treaties and the independent scrutiny carried out by national and international human rights bodies.

So, where do we go from here to further strengthen cooperation?

We have suggested that the EU institutions define an internal fundamental rights strategy, to mirror the human rights framework and action plan that exist for the EU's external policies. This could include a fundamental rights policy cycle where rights are assessed annually by the EU and Member States to evaluate progress, to share promising practices and identify jointly future priorities. The national parliaments should be centrally involved in such a policy cycle. This would make sure that the experiences made by the national legislators feed into the policy making at EU level.

You could also consider creating a network of parliamentary committees competent for fundamental rights, meeting annually, to compare experiences and learn from each other, just like we're doing here today. Along these lines,

next year we will also host our first ever meeting of FRA national parliamentary focal points.

After all, remember the whole is greater than sum of the parts. And this applies equally to fundamental rights where we have more to gain from working together than working alone. In essence, this is what European cooperation is all about.

Thank you for your attention.

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