

Joint EU-US statement following the EU-US Justice and Home Affairs Ministerial Meeting

On 11 December 2019, the EU-U.S. Ministerial Meeting on Justice and Home Affairs took place in Washington D.C. The United States of America was represented by Attorney General William Barr and Acting Secretary for Homeland Security Chad Wolf. The Ministerial – which is held twice a year – aims to oversee transatlantic cooperation in the area of Justice and Home affairs and address common security threats.

The European Union was represented by the Commissioner for Justice Didier Reynders, as well as by Finnish Minister of Justice Anna-Maja Henriksson, Finnish Permanent Secretary of the Ministry of the Interior Ilkka Salmi, Croatian Minister of the Interior Davor Božinović, and Croatian Minister of Justice Dražen Bošnjaković, on behalf of the current and incoming Presidencies of the Council of the European Union. The meeting was also attended by Assistant Attorney General John C. Demers, the EU Counter-Terrorism Coordinator Gilles de Kerchove, the Deputy Secretary General of the EEAS Christian Leffler, the Deputy Executive Director of Europol Jürgen Ebner, and the Vice President of Eurojust Klaus Meyer-Cabri.

As the EU begins a new political cycle, the United States and the EU reaffirmed their strong commitment to foster the Transatlantic Partnership and pursue their dialogue on Justice and Home Affairs, building on the existing operational cooperation and best-practice exchanges on matters of common interest.

Fighting terrorism in all its forms remains our top common priority. We concurred on the importance of continuing and expanding our efforts to identify and hold accountable all those who support or engage in terrorist activity, with a particular emphasis on the sharing of information gathered in zones of combat for use in criminal proceedings as admissible evidence. The importance of using this type of information to improve the security of our borders was also highlighted, especially in the context of returning foreign terrorist fighters. We welcomed achievements in this domain, in particular the U.S. efforts to share information on foreign terrorist fighters with EU Member States and Europol. We called for continued engagement and ongoing operational cooperation between relevant agencies, building on the conclusions of the meeting on these subjects held in Brussels on 10 July. We further discussed various forms of violent extremism, including ethnically – and racially-motivated violent extremism, and we supported further expert exchanges to examine the international linkages among these groups.

The EU-U.S. agreement on Passenger Name Records (PNR) remains an important instrument for enhancing the security of our citizens. In that context, we look forward to the final report following the joint evaluation. We

reaffirmed our shared interest in establishing ICAO standards to encourage rapid and effective implementation of UNSCR 2396 for the use of PNR to combat terrorist travel, with full respect for human rights and fundamental freedoms.

Together we acknowledge that threats to security take on increasingly different forms, challenging our collective resilience. We discussed means to enhance cooperation on countering hybrid threats – including chemical, biological, radiological, and nuclear weapons, as well as explosives – and welcomed the U.S.-EU experts seminar on that issue held in Brussels in September 2019. We also recognized the challenges to security presented by drones. We further discussed challenges to cybersecurity and updated each other on respective efforts to assess and address 5G security challenges, including those impacting the security of our supply chain. In particular, we discussed the need to work with industry to establish trusted markets for 5G and other telecommunications equipment and services. We will continue to keep each other informed of developments in this area and commit to approaching emerging technologies through a risk-informed perspective.

The United States and the European Union reaffirmed the importance of enhancing judicial cooperation in cyberspace, in particular with regard to cross-border access to electronic evidence. In this context, we welcome the negotiations for an EU-US agreement facilitating access to e-evidence for the purpose of judicial cooperation in criminal matters. We agreed to review progress in the negotiations at the next Ministerial Meeting in 2020. Furthermore, we exchanged views on the ongoing negotiations for the Second Additional Protocol of the Budapest Convention and discussed the importance of making swift progress, in view of our joint and strong commitment to the Budapest Convention, which remains the instrument of choice for international cooperation on cybercrimes for both the EU and the United States.

We also acknowledged that the use of warrant-proof encryption by terrorists and other criminals – including those who engage in on-line child sexual exploitation – compromises the ability of law enforcement agencies to protect victims and the public at large. At the same time, encryption is an important technical measure to ensure cybersecurity and the exercise of fundamental rights, including privacy, which requires that any access to encrypted data be via legal procedures that protect privacy and security. Within this framework, we discussed the critical importance of working towards ensuring lawful access for law enforcement and other law enforcement authorities to digital evidence, including when encrypted or hosted on servers located in another jurisdiction.

We reiterated a common commitment to enhance the resilience of our electoral systems and to combat any form of interference in electoral processes. In this context we welcomed the outcome of the 26 November first experts' meeting on resilience of electoral systems. The event brought together specialists from both sides of the Atlantic to discuss respective approaches and share best practices; we look forward to continuing dialogues on this issue.

Finally, we welcomed Poland's designation for the U.S. Visa Waiver Program,

which underscores the usefulness of the tripartite process and the encouraging progress made by four other Member States towards reciprocal visa free travel under our respective legal frameworks. We are committed to continue working together, in the appropriate frameworks, to support the remaining four EU Member States in their efforts towards designation in the Visa Waiver Program.

Reaffirming our joint commitment to advance together towards common solutions in all these areas, we agreed to meet again in the first half of 2020 in Croatia.

[Andrew Caruana Galizia: "We need to work together to make sure that European values are upheld";](#)



The son of the Maltese journalist Daphne Caruana Galizia who was killed in 2017 while reporting on government corruption addressed the December plenary session of the European Economic and Social Committee (EESC) and said that a European rule of law monitoring mechanism could help defend journalism against all forms of pressure.

The murder of a journalist represents an attack on society and Europe's fundamental values. For this reason, the EU needs structures to fight transnational crime and mechanisms to protect journalists and media freedom.

Andrew Caruana Galizia, son of **Daphne Caruana Galizia**, the Maltese journalist who was assassinated on 16 October 2017 after investigating and exposing cases of corruption at the highest levels of government, was a special guest at the EESC December plenary session and pointed out the need for new instruments at European level to monitor the rule of law across Europe.

"The European Parliament is working to introduce a rule of law monitoring mechanism and the new Commission seems amenable to it. We need to really work together to make sure that it has teeth and is fit for purpose and that the values that make up the European Union are just as enforceable as the values that underpin our single market," he said.

"Many of the crimes my mother uncovered were European crimes, crimes that involved several jurisdictions. It is impossible for one single police to deliver justice for many of these crimes. EU membership allowed the free flow of money and political support at European level, without the free flow of justice and police investigation," he continued.

The EESC president, **Luca Jahier**, stressed how vital free journalism was for

the correct and balanced functioning of our society: “Media freedom is at the core of the values we hold dear. If journalists are silenced, so is democracy. The revelations of the past few weeks have confirmed what Daphne had long warned about before her murder: that the rule of law in the European Union’s smallest Member State had been compromised by those very same people whose duty it was to protect the citizens of Malta. Since then, other journalists have died while working on investigative stories. All stood up for democracy and the rule of law. All died because nothing could silence them.”

The assembly paid tribute to Daphne’s invaluable work, unanimously reaffirming the importance of a free press and highlighting the essential role played by journalists in defending our fundamental freedoms every day, which, together with democracy and the rule of law, contributes to peace and stability in Europe.

Mentioning the current daily demonstrations of the Maltese people, **Stefano Mallia**, EESC member from Malta, said: “This is the first time, in the history of our country, that thousands of people are protesting without being led by a political party. This is unprecedented in a country where political parties are very present in our everyday life. It’s a moment in history where civil society finally found its voice. Daphne would be proud of this. We are seeking the cleaning of our political system, to defend our democracy and to obtain justice for Daphne, her family and the nation she fought so hard for.”

Mr Caruana Galizia, referring to the latest developments in the investigations of his mother’s murder, was sharp in his words and said that there would never be hope of justice without institutional change in the country and that a change in political culture in Malta was also needed: “We are now closer than we’ve ever been in our national history to a consensus around what needs to change in the country, what institutional and constitutional changes we need, as well as changes to political culture, parties and media culture.”

Mr Jahier concluded by praising the extraordinary mobilisation of the Maltese civil society: “All those responsible for the murder of Daphne must be held to account as soon as possible. European citizens cannot tolerate any further delays. I am really proud of the Maltese civil society organisations, which have called for justice as no one should be above the law. I wish to express to them our strong solidarity and support in this crucial passage for the future of their country, for the promotion of the fundamental values of our Europe. We are with you!”.

[Eurojust becomes an Agency](#)

12 December 2019

✘ Eurojust today heralds a new phase in its development, as it officially becomes the European Agency for Criminal Justice Cooperation, with the application of the [Eurojust Regulation](#) as the new legal basis. The new Regulation will make Eurojust fit for the purpose of fighting increasing levels of cross-border crime, with an Executive Board dealing with administrative matters and giving the College of prosecutors from all Member States more leeway to focus on the continuously rising number of criminal cases. Eurojust will start applying many of the standard rules of the decentralised Agencies.

Eurojust President Mr Ladislav Hamran said: *'This is an important step for Eurojust, marking the beginning of a new phase in our existence. The new Regulation improves our decision-making process and gives us a more elaborate legal basis to work on. This means that we can continue to support National Members and their teams in the fight against cross-border crime, while being better prepared for the future challenges that await us.'*

European Commissioner for Justice Mr Didier Reynders stated: *'The Regulation marks a new phase for Eurojust, just at the same time as a new phase for me has started as European Commissioner for Justice. This new legal basis and expansion of the scope are great ways forward to help Eurojust improve its actions against international criminal networks and to enhance security in the European Union. When it comes to security, the judicial component of all actions is of paramount importance, in order to ensure all over the European Union justice will be done. I look very much forward to good cooperation with Eurojust.'*

Finnish Minister of Justice Ms Anna-Maja Henriksson said: *'Eurojust has become and is an important partner for the national public prosecution offices and investigating authorities of the Member States of the EU in their fight against cross-border crime. As crime becomes more cross-border, so must the crime fighters. The new Eurojust Regulation will enhance security and justice for all European citizens. Eurojust needs to be equipped to face new challenges posed by technological developments and the threats resulting from the evolving security landscape.'*

Member of the European Parliament Mr Axel Voss, rapporteur for the European Parliament on the Eurojust Regulation, pointed out: *'Improving the fight against cross-border crime by enhancing Eurojust's operational capabilities was the guiding principle for the European Parliament's position on the new Eurojust Regulation. A new governance structure helps Eurojust to concentrate on its established and effective operational tools and to become more proactive. The cooperation with Europol, Frontex, OLAF and the soon to be established EPPO will be enhanced. At the same time, the European Parliament has made sure that Eurojust has a robust data protection regime taking into account the nature of Eurojust's mandate. This new legal framework will help Eurojust to be fit for purpose in the 21st century. The European Parliament is, however, aware that the appropriate funding for its activities is required and supports Eurojust in this.'*

Main changes

- A new governance structure, with an Executive Board of six members.
- A new data protection regime, adapting it to the revised EU legal framework on data protection;
- The alignment of Eurojust's external relations with the principles introduced in this field by the Treaty of Lisbon;
- The strengthened role of the European and national Parliaments in the democratic oversight of Eurojust's activities;
- The new relationship between Eurojust and the European Public Prosecutor's Office based on mutual cooperation within their respective mandates and competences, and the development of operational, management and possibly administrative links;
- Because Denmark is not bound by the Eurojust Regulation, on 11 December, a [cooperation agreement](#) between Denmark and Eurojust has taken effect. The Danish Desk will be replaced by a Representative, a Deputy and an Assistant, who may attend College meetings as an observer without voting rights, and may exchange information with the National Desks; and
- Genocide and war crimes have been added to forms of serious crime for which Eurojust shall be competent and that are listed in Annex 1 to the Regulation.

Internal decision-making

The College of Eurojust, comprising all the National Members, will remain in place, as will the Administrative Director. An Executive Board will be established to assist the College.

The Executive Board will be composed of:

- the President and two Vice-Presidents;
- a representative of the European Commission when the College exercises its management functions; and
- two other College National Members designated on a two-year rotation system.

The Administrative Director attends the meetings of the Executive Board without the right to vote.

The College will be responsible for operational work and key management functions, for example:

- adopting the budget, annual and multi-annual programming and the annual report; and
- electing the President and Vice-Presidents and appointing the Administrative Director.

The Executive Board will be responsible for:

- Taking some administrative decisions (e.g. adopting implementing rules of the Staff Regulations, financial rules, anti-fraud strategy);
- Reviewing certain administrative documents before they are submitted to the College; and
- Establishing or modifying internal administrative structures.

Rules of procedure

The College of Eurojust adopted new rules of procedure for Eurojust on 20 December 2019. These are [available here](#).

Data protection oversight

The data protection regime applicable to Eurojust will also change. For instance, the European Data Protection Supervisor (EDPS) will be responsible for the external supervision of our compliance, replacing the Joint Supervisory Body (JSB).

Opt-in

The UK and [Ireland](#) have decided to opt-in to the Eurojust Regulation in March and August of this year, respectively.

Photo © Eurojust

[EUAM Iraq: New head of mission appointed](#)

On 11 December 2019, Christoph Buik was appointed as **new head of mission for the European Union Advisory Mission in Iraq (EUAM Iraq)**. He will take up his duties on 1 January 2020.

Christoph Buik, a German national, is currently Director of the UN Standing Police Capacity. Previously, he was Police Commissioner for the UN Assistance Mission in Somalia. He has long experience in international peacekeeping and peace building operations.

He will take over from Markus Ritter, who has held the post since October 2017.

The decision was taken by the Political and Security Committee on 11 December 2019.

EUAM Iraq is based in Bagdad and contributes to the implementation at strategic level of a **comprehensive strategy** countering terrorism and organised crime with specific reference to border management, financial crime, money laundering and the trafficking of cultural heritage. The mission works in coordination with **key international actors** operating in Iraq, including the NATO mission in Iraq.

The mission was launched on 16 October 2017 to support the **implementation of the civilian aspects of the Iraqi National Security Programme**. This programme aims at building state institutions capable of consolidating security, peace

and preventing conflicts under the rule of law, and outlines a number of threats to national security, including terrorism, corruption and political instability.

[Press release – Green deal for Europe: First reactions from MEPs](#)



Following Parliament's recent [declaration of a climate emergency](#), Commission President von der Leyen unveiled the [Commission's plans to achieve climate neutrality in the EU by 2050](#), on Wednesday in the Brussels Chamber.

Leaders of Parliament's political groups outlined their views on how to ensure that the future "European Climate law" is funded and implemented in an economically and socially balanced way.

Concluding the two-hour debate, the Commissioner in charge of the Green Deal, Executive Vice-President Frans Timmermans, answered some of the MEPs' most urgent questions on ways to finance the energy transition in central and eastern member states, and how to ensure that European and non-EU countries' industries can compete under similar rules.

Click on the hyperlinks to watch the videos of interventions.

[European Commission President Ursula von der Leyen](#)

Esther De Lange (EPP, DE) said that her group shared the “moral obligation” to protect the planet: “We are the last generation to be able to do so. A coherent and consistent industrial policy and an ambitious green deal must go hand in hand, bringing the best and brightest together to deliver smart solutions.” If other parts of the world do not play along these lines too, the EU should reconsider open access to the European market, she concluded.

Iratxe García (S&D, ES) said: “A new growth model was presented today to transform the EU into a fairer and more prosperous society”. This model should be based on three pillars: a green pillar to achieve climate targets, a red pillar to ensure a strong social dimension to the Green Deal and a financial one, whereby the long-term EU budget should provide sufficient resources to achieve these objectives.

“We will succeed only if we change this challenge into an opportunity”, said **Dacian Cioloş (RE, RO)**. In order to do so, “the Green Deal should not bring new red tape”, but lead to society mobilising. He called for the EU’s ambition for greenhouse gas emissions reductions to be raised in the upcoming climate law, and for a twofold approach to green digitalisation and technologies.

Philippe Lamberts (Greens/EFA, BE) requested that the EU commit to a 65 % reduction of greenhouse gas emissions by 2030 and to ensure sustainable resources, biodiversity and tackle pollution. The “Just Transition Fund” should benefit the most vulnerable people, while farming and financial policy need a complete overhaul, he said.

Silvia Sardone (ID, IT) asked the Commission: “Have you looked at the social and economic impact of achieving climate neutrality by 2050?” She said there is a “contradiction” between EU climate goals and trade deals signed with countries with lower environmental standards.

Ryszard Legutko (ECR, PL) said that the Commission should work with member states, which are about to discuss emission reduction targets in the European Council. “Is the Commission trying to seize power from the member states? (...) Governments should not be sidelined on something so fundamental”, he added.

Manon Aubry (GUE/NGL, FR) proposed an alternative “new green deal” by her group including carbon, plastic and kerosene taxes and binding measures for a 70 % emissions reduction to achieve a more human “social and ecological” transition.

[Watch the videos of the first round of political group speakers.](#)

[Frans Timmermans, Executive Vice-President European Commission](#)

Next Steps

Parliament will give its answer to the Commission’s plans by adopting a resolution during the 13-16 January 2020 plenary session.