



THE EUROPEAN  
UNION  
EXPLAINED

Building a  
European area  
of justice

# Justice, fundamental rights and equality

Justice for citizens and justice for growth: a true European area of justice will make citizens' lives better and allow businesses to make full use of the single market.





# THE EUROPEAN UNION EXPLAINED

*This publication is a part of a series that explains what the EU does in different policy areas, why the EU is involved and what the results are.*

*You can find the publications online:*

[http://europa.eu/pol/index\\_en.htm](http://europa.eu/pol/index_en.htm)

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How the EU works  
Europe in 12 lessons  
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### **The EU explained: Justice, fundamental rights and equality**

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## Why we need effective justice policies

In a Europe of open borders, more and more people live, work, study and do business in other European Union (EU) countries. The EU makes it easier for citizens to exercise their rights by building a genuine European area of justice. The EU strives to strengthen mutual trust between courts and administrations of the 28 EU countries, so they mutually recognise each other's judicial decisions. The harmonisation of justice rules and minimum standards across the EU as well as the access to justice on equal terms in all countries are key issues for a common justice area. In addition, the EU is working to enable people and businesses to take full advantage of its single market.

### Providing practical solutions

EU justice policies aim to make it easier for citizens and businesses to exercise their rights and to provide practical solutions to cross-border problems. At present, some European citizens still face obstacles when, for example, living, travelling, studying or working in another EU country. Businesses might face problems related to differences in contract laws, tax or consumer legislation, administrative requirements or data protection rules.

The EU offers practical solutions to such cross-border problems and in doing so helps to unlock the full potential of the single market. As a result, citizens feel assured and trust that their rights are protected, no matter where in the EU they happen to be. At the same time, by reducing red tape and creating the legal certainty which businesses need to fully benefit from the opportunities of the single market, they start to rely on and have confidence in EU law.

*Citizens must be able to exercise their rights, also when they are in an EU country other than their own.*



### Current objectives

The fundamental objective of the EU in this respect is to develop a truly European area of justice based on mutual recognition and mutual trust. Citizens, consumers and businesses must be able to rely on and exercise their rights within and across national borders. This requires the full respect of the rule of law, fundamental rights and the independence of the judiciary.

The EU wants to deliver 'justice for citizens and justice for growth'. The following areas are where citizens and businesses can expect the most from policymakers in Europe.

**Civil justice:** In a Europe of open borders, it is clear that in certain circumstances a citizen of one EU country might find himself/herself before a court in another EU country. To help in such cases, the EU promotes better access to justice, mutual recognition of judicial decisions and increased convergence in the field of procedural law. Common European procedural rules aim to help families with international backgrounds to sort out difficult problems such as divorce, custody disputes or the consequences of the death of a family member.

Since 1992, the single market has enabled people and businesses to move and trade freely across borders within the EU. The single market is yet to be completed as businesses and consumers face problems such as contract-law related obstacles, differences in tax or consumer legislation and administrative requirements. Furthermore, the substantial set of laws developed over the past 20 years to protect consumers' economic interests still needs to be better enforced and will be further adapted to changing business models and consumption patterns. For more information about EU consumer policy, see the 'Consumers' brochure in this series.

**Criminal justice:** There is often a European dimension to criminal matters. In cases where it is suspected, for example, that a criminal organisation is operating in several EU countries, or that a suspected criminal is hiding in a different EU country, judicial cooperation is necessary. Such cooperation involves strengthening dialogue and action between the criminal justice authorities of EU countries. To this end, the EU is developing the European criminal justice area where national law enforcers and judiciaries can thoroughly trust and rely on each other. This will increase citizens'

confidence in the fairness of criminal proceedings, particularly with regard to the protection of their rights when they are in court in another country, or if they fall victim to a crime there.

**Fundamental rights:** The Charter of Fundamental Rights of the European Union became legally binding with the entry into force of the Lisbon Treaty in 2009. The Union actions must be beyond reproach when it comes to fundamental rights and the EU must ensure that rights provided for in the Charter are observed. The Charter must serve as a compass for the Union's policies and their implementation by EU countries.

**EU citizenship:** EU citizenship is conferred automatically on all nationals of all EU countries and gives each and every citizen of the Union an additional set of rights which have a concrete and positive impact on their daily lives. The EU monitors the implementation and application by Member States of EU citizenship rights as provided by the Treaty to ensure that EU citizens can actually exercise these rights.

**Equality:** Gender equality and non-discrimination are amongst the EU's founding values. The EU acts on behalf of citizens to prevent discrimination on grounds of sex, racial or ethnic origin, religion or belief, disability, age and sexual orientation, by means of legislation, funding and policies in areas concerning all these categories such as employment and access to goods and services on equal terms for people with disabilities. The EU aims to further strengthen gender equality throughout the EU by reducing the gender pay gap and increasing the number of women in positions of responsibility, particularly in politics and business, as well as by preventing gender-based violence and enhancing the protection of and support to victims.

## Joined-up thinking — links with other policy areas

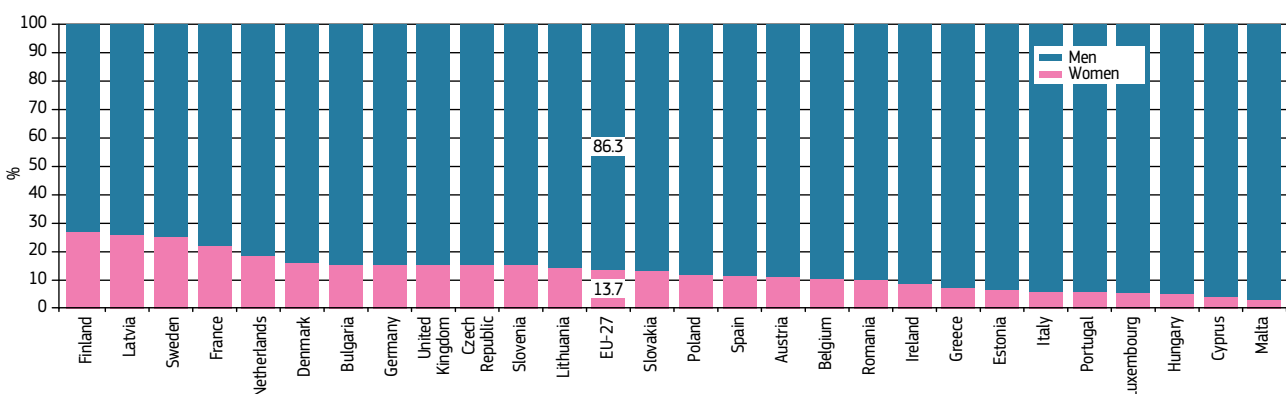
Justice policies are built around the interlocking goals of 'Justice for Citizens' and 'Justice for Growth' and they contribute to **Europe 2020** — the EU's growth agenda for the coming decade.

The EU is working in several policy areas to make sure that EU citizens can fully enjoy their rights in their daily lives. **The EU Citizenship report, published in 2013**, builds on the achievements of the first report of this kind adopted in **2010** and presents 12 key actions which the European Commission is undertaking to improve the lives of EU citizens, notably in cross-border situations. A dedicated **progress sheet** shows the achievements made through the implementation of the actions laid out in the 2010 Citizenship Report.

Despite the achievements so far, the single market is not yet complete. Justice for Growth policies aim at clear consumer and commercial rules and efficient dispute resolution both at national and EU level. These facilitate cross-border trade and enable companies and consumers to take greater advantage of the possibilities offered by the internal market and thus help increase the potential of the single market.

Whether working in their own or another EU country, citizens have certain minimum rights related to non-discrimination, health and safety at work, equal opportunities for women and men and equal treatment at work. They are also entitled to a high level of consumer protection. With its **European Consumer Agenda** the European Commission published its overall consumer strategy to be implemented across all EU policies.

PERCENTAGE OF WOMEN AND MEN ON THE BOARDS OF THE LARGEST PUBLICLY QUOTED COMPANIES — 2012



Source: European Commission.

## How the EU goes about it: tools and targets

### Legal framework

The Lisbon Treaty entered into force in December 2009. It reinforces democracy in the EU and its capacity to promote the interests of citizens on a day-to-day basis. By placing citizens at the heart of all EU policies, the Lisbon Treaty has effectively revolutionised EU policymaking in the areas of justice, fundamental rights and citizenship.

Since the entry into force of the Lisbon Treaty the EU now has the mandate to legislate in the area of criminal law.

Moreover, the [Charter of Fundamental Rights of the European Union](#) was made binding by the Lisbon Treaty. The EU institutions must respect the rights enshrined in the Charter. The Charter also applies to EU countries when they implement EU law.

Since early 2011 the European Union has also been party to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) that has thus become part of the EU legal order. This means that the UNCRPD is binding on the European Union and forms part of EU law.

### Justice for citizens

Every national of an EU Member State is also an EU citizen. EU citizenship does not replace national citizenship. Instead, it confers upon all EU citizens an additional set of rights, guaranteed by the EU Treaties, which lie at the heart of their everyday lives. These rights are:

- to be able to travel and live anywhere in the EU;
- not to be discriminated against on grounds of nationality;
- to be able to vote and stand as a candidate in municipal and European Parliament elections in his/her place of residence regardless of nationality;
- to be assisted by another EU country's embassy or consulate outside the EU, under the same conditions as a citizen of that country;
- to petition the European Parliament and to bring a case to the European Ombudsman;
- to initiate or to sign, together with other EU citizens, a citizens' initiative to call for new EU legislation.

The EU has put rules in place to guarantee these rights and is endeavouring to make sure citizens can enjoy them freely and without obstacles.

The increasing prevalence of the free movement of persons, goods and services inevitably results in an increase in the number of cross-border disputes. The EU has put in place a number of procedures designed to help individuals with cross-border litigation. For example, the civil judgments given by courts of one Member State are recognised and enforced in all other Member States. The EU aims to ensure that people can approach courts and authorities in any EU country as easily as in their own. With the aim of offering EU citizens legal assurance in cross-border family-related legal disputes, some legal instruments have been adopted by the EU over recent years and some other important tools are being negotiated.

When travelling abroad everyone faces the risk of falling victim to a crime or of being accused or suspected of a criminal offence. The EU is working on a series of 'fair trial rights' to be applied throughout the EU, designed to set common EU minimum standards in criminal cases. Defendants' rights to information, translation and interpretation during criminal proceedings throughout the EU and to access a lawyer and to communicate upon arrest are already enshrined in law. All these directives guarantee fair trial rights from the first stage of police questioning and throughout criminal proceedings. A new package of legislative proposals to strengthen procedural safeguards for citizens in criminal proceedings is currently being discussed. It addresses the principle of the presumption of innocence and the right to be present at trial, special safeguards for suspected and accused children, and the provision of legal aid. In addition, the EU strengthens citizens' rights and sets minimum standards for the support and protection of victims of crime or violence. Victims' rights are fundamental rights, including the respect for human dignity, private and family life and property.

## Rights and freedoms

The Charter of Fundamental Rights of the EU contains the six fundamental rights and freedoms protected in the EU. They are:

- dignity
- freedoms
- equality
- solidarity
- citizens' rights
- justice.

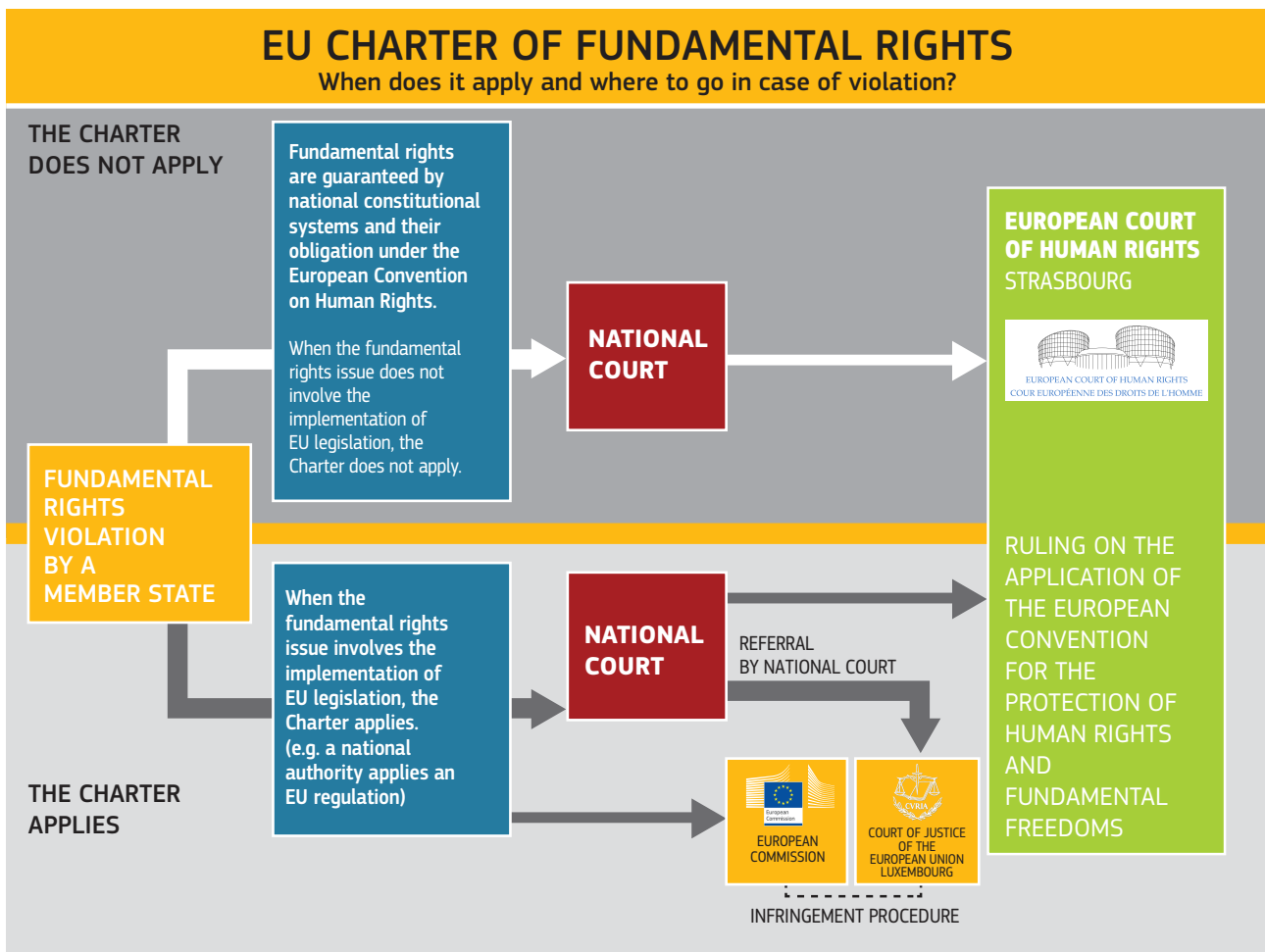
Proclaimed in 2000, the Charter became legally binding in the EU with the entry into force of the Lisbon Treaty in December 2009.

*The Charter must be respected by the EU institutions and national authorities, including the courts, when they are implementing EU law. For example, the Charter applies when EU countries adopt or apply a national law implementing an EU directive or when their authorities apply an EU regulation directly. The Charter does not extend the competence of the EU to matters not included in the Treaties.*

*In cases where the Charter does not apply, the protection of fundamental rights is guaranteed under the constitutions or constitutional traditions of EU countries and any international conventions they have ratified.*

*Where should you turn to if you believe that your fundamental rights have been violated? Consult the European e-Justice Portal!*

<http://e-justice.europa.eu/>



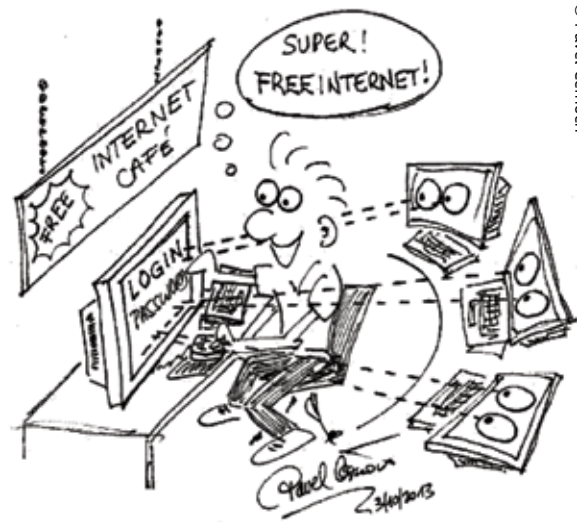
Equality and non-discrimination are other rights enshrined in the Charter. For many years, EU action in the field of non-discrimination focused on preventing discrimination on the grounds of nationality and gender. Subsequently, Member States unanimously agreed to grant new powers to the EU to combat discrimination on the grounds of racial or ethnic origin, religion or belief, disability, age and sexual orientation in matters of employment. Today, additional EU legislation is in place to ensure equal treatment and prevent discrimination in matters of social security and access to goods and services.

In the EU, everyone has the right to the protection of personal data and common rules have been established to ensure that individuals enjoy a high standard of protection everywhere in the EU. A reform of these rules was proposed in early 2012 with a view to strengthening individuals' rights and tackling the challenges of globalisation and new technologies.

## Justice for growth

Businesses in the EU today are faced with wide-ranging and sometimes even contradictory data protection requirements, due to the different national laws in force. As well as protecting individual privacy, the aforementioned reform of the data protection rules aims at eliminating the complicated administrative burden, as well as many other costs linked to the different data protection requirements currently existing throughout the EU. With further harmonised personal data protection rules in place across the EU, consumers can feel more confident when purchasing goods and services online. This is a crucial step towards ensuring that e-commerce contributes fully to much-needed economic growth and job creation.

That is why the European Commission also updates EU consumer legislation and adapts it to current online practices, most recently through the introduction of the **consumer rights directive** which became applicable on 13 June 2014. Europe's 500 million consumers make a significant contribution to driving economic recovery in the EU. Therefore, the current legislation sets high standards of consumer protection in the EU and covers, amongst other areas, unfair marketing practices, such as misleading advertising, rules on consumer contracts, e.g. on unfair contract terms, product guarantees and information obligations (More information about consumer rights can be found in the 'Consumers' publication of the series).

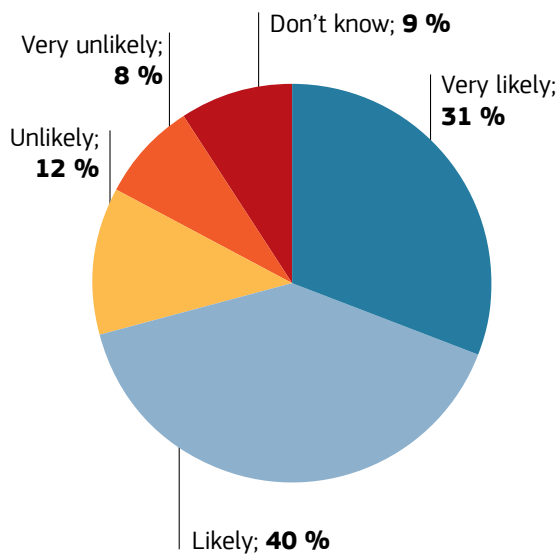


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*The European Commission has proposed a data protection reform package in order to boost Europe's digital economy and strengthen online protection of personal data: Take control of your personal data!*

The EU is working for a better provision of accessible goods and services in the European market. This concerns not only goods and services for everyday use with accessibility features for persons with disabilities but also for elderly people and many others. A better functioning of the internal market of such goods and services will contribute to economic growth and make it easier for companies to operate across the EU.

Obstacles to cross-border trade still persist. Traders have to comply with different national contract law rules if they want to sell their products in other EU countries. This is costly and puts many traders off doing business with customers abroad. To overcome this problem, the European Commission proposed a '**Common European Sales Law**' in 2011, with the aim of completing the single market, boosting growth and creating jobs. The objective, on the one hand, is to facilitate trade by offering a single set of rules for cross-border sales contracts across the EU. If traders offer their products on the basis of a common European sales law, consumers would have the option of choosing a user-friendly European contract with a high level of protection. On the other, this proposal also promotes the digital single market by offering a single set of rules for the supply of digital content.

INTEREST IN A COMMON EUROPEAN SALES LAW <sup>(1)</sup>

<sup>(1)</sup> A recent survey demonstrates a clear business interest. The chart shows the replies from businesses to the question as to whether they are likely to use a European consumer contract law for EU cross-border sales to consumers.

Efficient justice systems and a sound regulatory environment can make a major contribution to boosting economic growth in Europe. Thanks to EU law commercial judgments are automatically recognised in all EU Member States. Solutions can be simple and low-cost and still inject much-needed efficiency into European justice systems and boost growth. The EU supports the use of mediation and other alternative dispute resolution (ADR) mechanisms as quicker and cheaper alternatives to going to court. Mediation and ADR give citizens and businesses the option of settling their differences out of court. This saves them both time and money. It can solve disputes between businesses, employers and employees, landlords and tenants, or families, so that they can maintain and even strengthen their relationships in a constructive way — a result that cannot always be achieved through court proceedings. At the same time, an agreement reached by way of mediation is binding and can be enforced.

## Financing justice policies

The EU is funding two programmes, the 'Justice Programme' and the 'Rights, Equality and Citizenship Programme', which will run from 2014–20 with an overall budget of €817 million. Both are simpler and more management-efficient compared to previous programmes and they will consolidate six existing funding programmes in the justice and rights field. The Justice Programme aims to make sure that EU legislation in civil and criminal matters is applied effectively. This will help to ensure proper access to justice for people and businesses in cross-border legal cases in Europe. The programme will also support EU actions aimed at tackling drugs and crime. The Rights, Equality and Citizenship Programme will help to make people's rights and freedoms effective in practice by making them better known and more consistently applied across the EU. It will promote the rights of the child, the rights of people with disabilities and citizenship rights, data protection, gender equality and the principle of non-discrimination. Likewise, it will combat racism, xenophobia, homophobia and violence against women and children.



# What the EU does: improving the day-to-day lives of citizens and businesses

## Achievements over time

Justice, fundamental rights and citizenship policies are based on the values and principles that are dearest to Europeans, such as democracy, freedom, tolerance and the rule of law.

Over the last 50 years, the EU has taken decisive steps towards a European area of justice. In 1968, the first convention on jurisdiction and enforcement of civil and criminal judgments was agreed. In the 1970s the European Court of Justice established that equality is a fundamental right. Since the entry into force of the Lisbon Treaty, the Charter of Fundamental Rights of the EU has become legally binding on the EU and fundamental rights are general principles of EU law. Since 1992, the single market has enabled people and businesses to trade freely across borders within the EU. Over the same period of time a substantial set of laws has been developed to protect the economic interests of consumers and safeguard their present high level of protection. In 1993, European citizenship was officially established and since then each and every one of us in Europe has additional rights: the right to live, travel, study, work, retire, shop, get married, receive health care and take part in democratic life — anywhere in the EU.

## Citizens

The following examples representing achievements in justice for citizens show how these policies have had an impact to improve the day-to-day lives of citizens.

As people travel freely within the EU, it is important that they enjoy unrestricted access to the judicial system of the country they are in. Cooperation has intensified between national judicial authorities to ensure that legal decisions taken in one country are recognised and enforced in any other country. This is especially important in family law. With an increasing number of people living in EU countries other than their own, more international families are being formed. When international couples with children separate, EU rules on divorce, child custody and maintenance claims encourage amicable solutions and give legal certainty on jurisdiction and the applicable law where disputes are taken to court.

Eva from Hungary and Rolf from Germany live in Italy. They have one daughter, Anna. After some years, Eva

wanted to divorce. Thanks to EU rules, Eva was able to file for divorce in Italy. As Eva and Rolf are on good terms, they signed an agreement choosing German law for their divorce, which the Italian court applied. Since Eva and Rolf's daughter, Anna, also lives in Italy, the Italian court could also decide on Anna's custody and her parents' visiting rights. On Eva's request, the Italian court also determined the maintenance for Anna.

As regards wills and succession, EU rules will ensure as of 2015 that the choices of citizens who made decisions about their estate before their death are recognised in all EU Member States. EU rules make it clear which authority is competent in handling the succession and ensure that any decisions of these authorities will be recognised and enforced everywhere in the EU. Moreover, heirs and estate administrators will be able to prove their status and rights everywhere in the EU on the basis of the European Certificate of Succession. This legal framework brings much-needed legal certainty for the 450 000 cross-border successions per year in the Union and facilitates the administration of succession estates valued at more than €120 billion.

In the area of criminal law, citizens can rely on EU-wide 'fair trial' rights if accused or suspected of a criminal offence.

Erkki from Finland travelled to Italy on holiday and was arrested. He has the right to obtain interpretation and legal advice in the Finnish language throughout the proceedings in Italy. Erkki will also be given a 'Letter of Rights' in his native language, listing his basic rights during criminal proceedings.

*The EU works to improve cooperation between the judicial authorities in EU countries.*



Championing victims' rights across the EU is a key priority for Europe. Thanks to the Lisbon Treaty, the EU can now put effective EU law in place. As a first step, it has introduced rules for all EU countries establishing minimum standards on rights, support and protection for victims of crime. This ensures that victims get the recognition and respect they deserve and the same level of protection, support and access to justice throughout the EU, no matter where in the EU they come from or live.

Anna was mugged and beaten on the street. Her attacker was caught and she found the courage to go to court to testify. Thanks to EU rules, Anna can be sure that she and her offender will be kept apart during the proceedings and that she does not have to face him.

The EU has been taking action for more than 50 years to defend the principle of equal pay for equal work or work of equal value. In 1957, the Treaty of Rome provided a basis for the adoption of several important pieces of European legislation on equal pay.

In the 1970s, Gabrielle Defrenne worked as a stewardess for the airline Sabena. The airline paid her less than her male colleagues who did the same work. Ms Defrenne successfully invoked her right to equal treatment on grounds of gender equality before the European Court of Justice. This is probably the best-known example of directly enforceable EU law.

All EU citizens are entitled to consular assistance if they are outside the EU where their own country is not represented. EU citizens can go to any other EU country's consulate or embassy to ask for help and receive such help under the same conditions as nationals of that EU country, if they are, for example, arrested, have had a serious accident or have lost important documents. EU citizens are also entitled to assistance in crisis situations. EU countries must help citizens evacuate when necessary, as if they were their own nationals. Citizens can find out if their country is represented in the country to which they are travelling on the [European Commission's consular protection website](#).

Aristoteles from Greece travelled to Bangladesh on business and lost his passport. As Greece is not represented in Bangladesh, Aristoteles did not know where to turn to. He checked on the consular protection website and found out that the representations of Denmark, Italy or Germany in Dhaka would be able to help him.

When buying goods and services anywhere in the EU, citizens have consumer rights relating to product information, the length of product guarantees, claiming for repairs, replacements or refunds, paying value

## Easier access to information

*The launch of the European e-Justice Portal in 2010 was just the first step in developing a multilingual online access point that makes life easier for citizens, businesses and practitioners in Europe.*

*The European e-Justice Portal is the one-stop shop for access to justice information. It provides citizens with easy access to the tools and the latest information relating to one's rights within the European Union and to solve conflicts either in or outside of court. And it's available in 23 languages!*

<http://e-justice.europa.eu>

added tax (VAT) on purchases abroad and buying services from another EU country. EU rules also facilitate the recovery of cross-border debts.

Jean lives in France and bought a bike from a shop in the Netherlands but it never arrived. His bank account had already been debited for payment. Jean checked on the European e-Justice Portal and found all the information and forms he needed to enable him to apply to the small claims procedure that covers cross-border claims up to €2 000.

The European Commission proposes to increase the value of claims that fall under the European Small Claims Procedure to €10 000, making it an even easier facility to use.

European legislation protects consumers going on package holidays and provides protection, for example, in case a tour operator goes out of business. Travellers booking a package holiday in the EU have the right to receive a refund of their prepayments or, if they are already at their holiday destination, to be brought home.

In July 2013, the European Commission made a proposal to modernise the **1990 EU directive on package travel**, which has served as the bedrock for the protection offered to EU holidaymakers. It guarantees comprehensive protection to consumers booking prearranged package holidays which involve combinations of, for example, flights, hotels, or car rentals. The protection includes the right to receive all necessary information before signing the contract, making sure that a party is liable for the performance of all services in the package and the reassurance of repatriation in case a tour operator goes bust.

The reform responds to a fundamental transformation of the travel market: citizens are increasingly taking a more active role in tailoring their holidays to their

specific requirements, notably by using the Internet to combine travel arrangements rather than choosing from ready-made packages out of a brochure.

Rules are difficult to apply in the Internet age where consumers are increasingly booking customised packages online (either from one trader or several commercially linked traders) — which leaves consumers uncertain if they can count on protection, and traders unclear of their obligations. Therefore, the update of the 1990 rules is essentially about bringing the package travel directive into the digital age. It means that **120 million additional consumers who buy these customised travel arrangements will also be protected by the directive.**

The proposed reform will increase transparency and strengthen protection for consumers in case something goes wrong. Businesses will also benefit as the reform will scrap outdated information requirements, such as the need to reprint brochures, and make sure that national insolvency protection schemes are recognised across borders.

Package travellers are entitled to receive essential information and assistance. If, for example, the hotel does not correspond to what the tour operator has promised, the holidaymaker can ask for compensation. In the European Union, about 118 million package holidays are sold every year.

*When David and Maria booked their holiday, they decided on an all-inclusive trip to the Mediterranean. When they arrived at the hotel, they discovered that the bathroom had no water. They complained at the reception desk and asked to change rooms but the receptionist explained that there were no more rooms available and that the water problem could not be solved. Since David and Maria had booked a package holiday, they were protected by EU package travel rules and the tour operator was obliged to find a solution. David and Maria were given a room in an alternative hotel and were thus able to enjoy their sunshine holiday.*

## The EU Citizenship Reports

In 2010, the European Commission published the first ever EU Citizenship Report proposing concrete measures to make EU citizens' lives easier when exercising their rights in another EU country. These include when marrying, buying a house, getting actively involved in politics, studying, working, receiving medical care, and so on. The 2010 report included 25 concrete actions that were intended to make life easier for all European citizens.



*When you book a trip abroad you can rely on Europe-wide consumer protection.*

The Commission followed this up in 2013 with the second EU Citizenship Report which gives an account of the progress achieved in implementing these 25 actions.

### TANGIBLE IMPROVEMENTS TO CITIZENS' LIVES:

- Making circulating public documents easier. In April 2013, the European Commission proposed that citizens and businesses should no longer have to provide costly 'legalised' versions or 'certified' translations of official documents when, for example, registering a house or company, getting married or requesting a residence card. Abolishing these requirements will save citizens and businesses in the EU up to €330 million, not counting the time saved and the inconvenience avoided.
- Slashing red tape for 3.5 million people registering a car in another EU country each year. This resulted in savings of at least €1.5 billion per year for businesses, citizens and registration authorities.
- Proposing fast and inexpensive solutions for consumers to resolve out-of-court their disputes with traders in the EU, enabling them to save around €22.5 billion a year across Europe.
- Offering citizens user-friendly information on their EU rights by means of the online information points **Your Europe and Europe Direct**.

In the 2013 Citizenship Report the European Commission proposed additional actions to build upon the successes of the previous years.

The new report outlines 12 concrete actions in six key areas.

- removing obstacles for workers and trainees in other EU countries;
- cutting red tape;
- protecting the more vulnerable;
- eliminating barriers for cross-border shopping;
- providing better information about the EU;
- promoting citizens' involvement in democracy.

The 12 new actions aimed at reinforcing EU citizens' rights:

1. Look into extending the export of unemployment benefits for longer than the mandatory 3 months, to make it easier for citizens to look for a job in another EU country.
2. Develop a quality framework for traineeships and modernise the European employment services (EURES).
3. Work on solutions to remove obstacles faced by EU citizens in relation to identity and residence documents issued by Member States, including the development of optional uniform European documents for citizens.
4. Make it easier for European citizens moving or operating across borders to deal with different sets of tax rules and, in particular, to avoid double taxation.
5. Facilitate the recognition of roadworthiness certificates, making it easier and safer for citizens to travel to another EU country with their car.
6. Support the development of a mutually recognised EU disability card to ensure equal access within the EU to certain specific benefits (mainly in the areas of transport, tourism, culture and leisure).
7. Strengthen the procedural rights of people suspected or accused in criminal proceedings, taking into account the specific situation of children and vulnerable citizens.
8. Revise the European Small Claims Procedure to facilitate the settling of disputes regarding purchases in another EU country.
9. Develop a model for the online display of key requirements to make information about digital products clearer and easy to compare.
10. Take actions to ensure that local administrations are given the tools to fully comprehend the free movement rights of EU citizens.
11. Provide user-friendly guidance on the central Europa website so as to make it clearer and easier for citizens to know who to turn to for their rights.
12. The Commission will:
  - promote EU citizens' awareness of their EU citizenship rights with a handbook presenting those EU rights in clear and simple language;
  - propose constructive ways to enable EU citizens living in another EU country to maintain their right to vote in national elections in their country of origin;
  - explore ways of strengthening and developing the European public space, based on existing national and European structures, to end the current fragmentation of public opinion along national borders.

The 2013 EU Citizenship Report formed the centrepiece of the 2013 European Year of Citizens. It is based on contributions from citizens gathered by means of a wide-ranging **public consultation** involving an online questionnaire, Eurobarometer surveys on **EU citizenship** and **electoral rights**, stakeholder conferences with civil society and other institutions, expert meetings and the so-called 'Citizens' Dialogues'. It served to feed debates throughout the European Year of Citizens, leading towards the European elections in 2014.

## Businesses

The following examples representing achievements in justice for growth show how these policies have had an impact to improve the day-to-day lives of businesses.

Judicial cooperation between EU countries in civil and commercial matters legally underpins the EU single market. Current EU legislation establishes common EU rules on jurisdiction in civil and commercial matters and thus clarifies which court is competent in cross-border disputes. This also includes EU rules that decide which law applies in such disputes and that facilitate the enforcement of a judgment issued by the courts in one EU country in another EU country. As of 2015, the reform of the existing rules will save businesses — notably small and medium-sized enterprises — time and money as any judgment obtained in one EU country will be automatically recognised and enforced in any other EU country.

*A company based in France concludes a construction contract with a company based in Poland in which they designate the courts of Warsaw to deal with any dispute arising under their contract. EU rules ensure that the judgment of the Warsaw court will be respected, even if, for instance, the building is to be constructed in Paris; and that the judgment given by the Polish court will be automatically recognised and enforced everywhere in the EU, including in France.*

In order to enable the smooth functioning of the single market, European procedures facilitate cross-border debt recovery. The European Order for Payment covers cross-border civil and commercial monetary claims, simplifies the procedures and speeds up the process while reducing the costs of litigation. The European order for payment is recognised and enforced in all European Union (EU) countries except Denmark without the need for a declaration of enforceability.

*An Austrian sports betting company worked with an Italian company that collected bets from local Italian betting offices and forwarded the money to the Austrian company. When the contractual relationship*

came to its end, the Austrian company realised that the Italian company still owed it a large amount of money. The Austrian company went before the Austrian court and within only a few months obtained a European Order for Payment which was automatically recognised and enforceable in Italy.

EU rules on unfair commercial practices aim to ensure, promote and protect fair competition. EU legislation ensures that consumers are not misled or exposed to aggressive marketing and that any claim made by traders in the EU is clear, accurate and substantiated. The rules bring harmonisation and mutual recognition between states, bringing down internal market barriers. Businesses are able to advertise and market products and services to all consumers in the EU, in the same way as to their domestic customers.

Finally, EU rules on cross-border insolvency have been modernised to facilitate the rescue of distressed businesses that are active in different Member States. In 2014, the European Commission recommended that Member States reform their national insolvency laws to allow a business to address its financial difficulties at an early stage and to reduce debt discharge periods for bankrupt entrepreneurs, thereby promoting second chances.

The Commission also supports voluntary initiatives promoting diversity management in businesses, in particular diversity charters. A diversity charter is a short document signed voluntarily by a company or a public institution. It outlines the measures that will be undertaken to promote diversity and equal opportunities in the workplace, regardless of race or ethnic origin, sexual orientation, gender, age, disability and religion. Over 7 100 companies, including enterprises, public bodies, NGOs and covering over 13.6 million employees have signed the 13 national diversity charters established so far across the EU.

In 2014 a directive on disclosure of non-financial and diversity information by certain large companies and groups was adopted. Companies concerned will need to disclose information on policies, risks and outcomes as regards environmental matters, social and employee-related aspects, respect for human rights, anti-corruption and bribery issues, and diversity in their board of directors. The new rules will only apply to some large companies with more than 500 employees.

A small company based in Ireland specialised in home-made natural well-being products which are especially popular with French and German tourists. These tourists often ask for more products to be sent to them by mail. The director wanted to advertise and sell his products directly in France and Germany, perhaps by



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*We need efficient legal procedures to allow companies to grow.*

developing his website, but not being familiar with the national laws in those countries, she worried about potential legal problems. Thanks to EU rules, businesses of all sizes are able to spend less on legal advice on how to comply with unfamiliar advertising and marketing rules, and are able to market their products on a Europe-wide basis.

## Improving the lives of Roma citizens in Europe

The Roma — Europe's largest ethnic minority — have been part of Europe for centuries, but frequently face prejudice, intolerance, discrimination and exclusion.

Roma people in Europe live in considerably worse socioeconomic conditions than the population at large. For example:

- only 42 % of Roma children complete primary school, compared to an EU average of 97.5 %;
- they face lower employment rates and higher rates of discrimination;
- they often lack access to essential services such as running water or electricity;
- life expectancy for the Roma is 10 years less than the EU average.

EU countries and the European institutions have a joint responsibility to improve the social inclusion and integration of Roma by using all the respective instruments and policies for which they are responsible. Since 2011, an **EU Framework for National Roma integration strategies**, which runs until 2020, provides help to Member States to make a tangible difference to the lives of the Roma people.

Every year the Commission monitors progress in the implementation of all national Roma integration strategies adopted within this Framework.

Furthermore, in December 2013, all EU Member States committed, in a Council recommendation, to undertake effective Roma integration measures to step up changes in the situation of Roma. These include policy measures in education, employment, access to healthcare and housing, but also measures in the fields of anti-discrimination, protection of Roma children and women, empowerment of local actors and transnational cooperation. This recommendation adds a new instrument to the legal and political landscape, but more importantly it represents a strong and unanimous political commitment by Member States to make more and better efforts in order to achieve real improvements.

The Commission's 2014 Progress Assessment of the situation of Roma on the ground confirmed the need for further sustained efforts to bring about change on a larger scale. Key challenges prevail, such as the persistent segregation of Roma children in special schools/classes, a lack of systematic measures to increase Roma participation in the labour market, an absence of basic health coverage for all in many Member States, and the ghettoisation in cities or segregation in rural areas. To answer these challenges, mainstream policies should also become more inclusive and responsive to the needs of Roma.

At the European Roma Summit, held in Brussels on April 2014, high-level EU and national decision-makers acknowledged that local and regional authorities also play a key role in Roma integration as well as the need to strengthen the capacity of local and regional authorities.

Empowering local players as well as the National Roma Contact Points is a necessary precondition for the success of Roma integration strategies in the Member States.

### The benefits of integration

*The Roma represent a growing share of the working-age population, with an average age of 25 compared to the EU average of 40. Research by the World Bank suggests that full Roma integration could bring economic benefits of around €0.5 billion a year by improving productivity, cutting welfare bills and boosting tax receipts.*

## Outlook: empowering citizens and fostering growth

Improving the daily lives of EU citizens is an ongoing process. In its 'Citizenship Reports', the EU sets out concrete actions aimed at removing the remaining obstacles to a European area of justice. A single market for citizens must tackle unnecessary bureaucratic obstacles to free movement. To this end, the EU has proposed, for instance, to simplify procedures for the circulation of civil status documents across borders. The EU will further strengthen the rights of suspected or accused persons. The EU devotes special attention to the more vulnerable groups in society and will support EU countries in their efforts to enhance the social and economic integration of the Roma.

Consumer confidence is the key to boosting demand and restoring growth. The Commission's overall consumer strategy as embodied in the European Consumer Agenda shows how consumer rights help maintain this confidence. Whilst encouraging consumers and businesses to benefit from the latest developments

in the digital world, the EU will ensure that online personal data is protected. The reform of data protection legislation will lighten the burden for businesses and reduce red tape for enterprises by getting away from the current legal patchwork and offering a clear set of legal rules. The EU seeks to further improve conditions for business by proposing an instrument for alternative dispute resolution between companies, addressing misleading and unfair comparative advertising, and modernising insolvency legislation. The EU proposes to improve the effective recovery of criminal assets, to strengthen sanctions against counterfeiting of the euro, and to protect the financial interests of the EU by criminal law. The future European Public Prosecutor's Office will conduct effective and efficient investigations and prosecutions across the EU so that fraud against the EU budget does not go unpunished. Continuing its efforts to combat illegal drug trafficking, the EU will define what constitutes a criminal offence and what the

corresponding penalties should be, whilst also addressing the rapid growth of new psychoactive substances.

Strengthening EU law to tackle discrimination and ensuring that it is effectively applied in all EU countries is a core objective. The EU is committed to giving everyone a genuine right to fully benefit from the single market, by living and working free from discrimination on the grounds of sex, racial or ethnic origin, religion or belief, disability, age and sexual orientation. Therefore, one of the priorities in the coming years will be to adopt the pending proposal on better protection against discrimination on grounds of disability, age, religion or belief and sexual orientation outside the area of employment and occupation. Furthermore, the EU strives to reduce the gender pay gap and — by another pending proposal — to increase the share of women on boards of listed companies, to help break the ‘glass ceiling’ that prevents women from fulfilling their professional potential.

If people and businesses are to take full advantage of the EU’s single market, they need easy access to justice on equal terms in all countries. EU-wide rules are needed. But, EU countries are also encouraged to make their judicial systems ever more efficient and to implement necessary judicial reforms as part of their economic recovery programmes, thus contributing to the policy of justice for growth.

The independence of justice systems and respect for the rule of law are two of the fundamental values on which our European Union is built. The rule of law and judicial independence are at the heart of the EU, and must be respected in all 28 EU Member States. The European justice area is built on mutual recognition and mutual trust. For the European area of justice to function properly it needs trust: trust in each other’s judicial systems and the judicial authorities. An efficient and trusted justice system will bring an economic

*One of the EU’s priorities is to strengthen citizens’ rights.*



dividend. Confidence and trust that the rule of law is fully upheld means the confidence to invest in that economy. In the context of the **European Semester** the European Commission already has many instruments to measure and benchmark economic and social developments in a Member State, or to assess the efficiency of public administration.

As of 2013, the EU developed a new tool — the ‘EU Justice Scoreboard’ — to promote effective justice systems in the European Union and thereby reinforce economic growth. The EU Justice Scoreboard provides objective, reliable and comparable data on the functioning of the justice systems in the EU’s 28 Member States. Improving the quality, independence and efficiency of judicial systems already is part of the EU economic policy coordination process under the European Semester, which is aimed at laying the foundations for a return to growth and job creation.

The 2014 EU Justice Scoreboard brings together data from various sources. Most of the quantitative data is provided by the Council of Europe Commission for the Evaluation of the Efficiency of Justice (CEPEJ) which collects data from Member States. The 2014 Scoreboard also presents the outcome of two pilot studies, which provide further fine-tuned data on the length of judicial proceedings relating to competition law and consumer law, expressed in average days.

The key findings of the 2014 EU Justice Scoreboard have shown that:

- Some Member States continue to face particular challenges with regard to the efficiency of their justice systems. Lengthy first instance proceedings together with low clearance rates or a large number of pending cases point to the need for further improvements. While ambitious reforms have been recently adopted in certain Member States (for example in Portugal), their effects cannot yet be reflected in the Scoreboard as data is mostly from 2012.
- The availability of information and communication technology (ICT) tools for courts increased but room for further progress exists, in particular to render contacts between courts and citizens easier.
- Alternative dispute resolution mechanisms are now available in nearly all Member States, while monitoring and evaluation of court activities exist in most Member States.

- In nearly a third of Member States the participation rate of judges in continuous training activities on EU law is above 50 %. Training of judges and legal practitioners and ICT tools are crucial for the effective functioning of a European area of justice based on mutual trust.
- In several Member States the perception of independence has improved whilst in some Member States it has deteriorated.

The EU Justice Scoreboard contributes to the European Semester by helping to identify justice-related issues that deserve particular attention. Together with the specific assessment of the situation in Member States, the 2014 Scoreboard contributed to addressing the **country-specific recommendations** in the area of justice for 12 Member States (Bulgaria, Ireland, Spain, Croatia, Italy, Latvia, Hungary, Malta, Poland, Romania, Slovenia and Slovakia.). These recommendations were endorsed by the European Council in July 2014. As a next step, Member States should implement this policy guidance, as part of their efforts to boost inclusive and sustainable growth. The Commission will report on progress in implementation in 2015.

## Find out more

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- ▶ **Website on children's rights for children and teenagers; containing games, cartoons, videos and short articles to help them learn more about their rights and how the EU is helping to protect these rights:** <http://ec.europa.eu/0-18>
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