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News | 14.09.2014

## Digital agenda, copyright and privacy under Team Juncker

### **Greens/EFA MEPs Jan Philipp Albrecht and Julia Reda give their initial impression**

**So, overall, are you happy with the proposal from Jean Claude Juncker?** The overall structure proposed for this broad area of portfolios is generally positive. However, the jury remains out as to whether the candidates Juncker has assigned to the different portfolios - Věra Jourová, Günther Oettinger and Andrus Ansip - are up to the task. We will use the hearings to properly scrutinise all three.

**What is your initial reaction to the proposed candidates?** We are neither happy nor disappointed with the proposal of Czech liberal **Věra Jourová** as justice commissioner, but rather curious. Jourová does not have a background in the field of fundamental rights and worked on regional development for most of her career. We will now have to see how swiftly she gets up to speed on important dossiers, and we will test her understanding and ambitions in the upcoming hearings. As a previous deputy minister for European

integration, she will at least understand the EU. Her training as a lawyer should give her a solid foundation for working on justice, the rule of law and fundamental and consumer rights (including the important data protection reform). She should have a personal understanding of criminal procedural rights, as she once was falsely accused of corruption. The proposal of **Günther Oettinger** as commissioner for digital economy and society has certainly raised a few eyebrows. He has not demonstrated any expertise in this field to date. That he "has confidence in his ability to familiarise himself" with the issues, as he said in an initial interview, is not enough to reassure us he can credibly rise to the complex challenge of harmonising the fragmented European copyright landscape and bringing it into the 21st Century. Our concern that Oettinger may be inclined to lend too much of an ear to the interests of big corporations is only mildly assuaged by the fact that Juncker's mission letter specifically calls on him to "ensure that users are at the centre of your action". While **Andrus Ansip**, who will be a commission vice-president with responsibility for the Digital Single Market, has some experience with digital issues, given he was Estonian prime minister when the country established itself as a pioneer in e-government, it is not without blemishes. Juncker has chosen someone to oversee the digital single market who was still passionately defending the ACTA trade agreement when people all over Europe were protesting it for being a threat to internet freedom. We wonder whether he learned the lessons of the trade agreement's resounding defeat in the European Parliament after an unprecedented Europe-wide outcry by civil society. **What about the structure of the portfolio they will have?**

It had been a long-standing demand by the Greens/EFA group to have a dedicated commissioner for justice, which only was introduced in the previous commission in 2009. It is important that this structure has been kept, and the addition of consumer protection to the previous 'justice-only' portfolio could even strengthen the coherence of the post. It seems that the crucial area of **data protection** will remain under this portfolio and therefore treated from the perspective of fundamental rights and consumer protection. We applaud this. The oversight of the reform of the EU's data protection rules has been given to the new Commission's vice-president for the Digital Single Market, Estonian liberal and former prime minister Andrus Ansip. This might give the reform a higher priority in the Commission, but we will have to ensure that our ambitious data protection standards are not watered down in order to be more market-friendly.

Juncker reassigned the responsibility for **copyright reform**. Formerly quite a neglected part of the Directorate-General for Internal Market and Services, it will now become the responsibility of Günther Oettinger, the designated **Commissioner for Digital Economy & Society** – with oversight by Digital Single Market Vice President Ansip. Oettinger has also been put in charge of the Commission's IT directorate. We welcome the reorganisation. A topic of such broad concern as copyright can no longer be viewed solely from a perspective of commercial interests. Having the digital commissioner in charge of the Commission's IT might be an opportunity to lend more of a political edge to this directorate, which could open the door for an increased focus on open source and open data. However, it remains to be seen if the proposed candidates are up to the task. **What questions do you think the candidates will need to address in their hearings?**

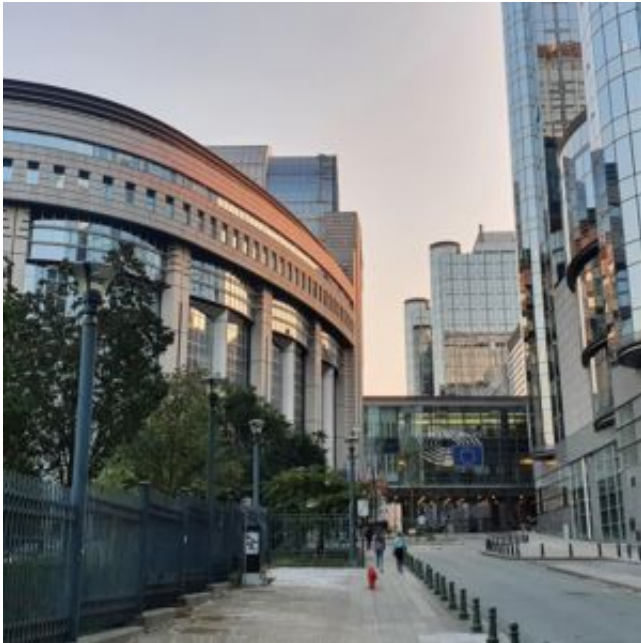
One important question to Věra Jourová of course will be how she is planning to defend and strengthen fundamental rights and consumer protection with no background in this field and as member of a commission that is strongly oriented towards economic growth and a stronger single market. She will also have to be able to show significant understanding of the pretty complex data protection reform, and will have to have an idea of how to steer the process forward with a view to a conclusion by the first half of 2015.

In his hearing, Günther Oettinger will need to demonstrate his newly-found understanding of internet policy issues and address how he will ensure a reformed European copyright meets the needs not just of the creative industries, but all of our increasingly digital society, without deterring innovation by startups or users.

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