

QUESTIONNAIRE TO THE COMMISSIONER-DESIGNATE**Michael McGRATH****Democracy, Justice and Rule of Law****1. General competence, European commitment and personal independence**

What aspects of your personal qualifications and experience are particularly relevant for becoming Commissioner and promoting the European general interest, particularly in the area you would be responsible for? How will you contribute to implementing the political guidelines of the Commission? How will you implement gender mainstreaming and integrate a gender perspective into all policy areas of your portfolio? How will you implement youth mainstreaming?

What guarantees of independence are you able to give Parliament, and how would you make sure that any past, current or future activities you carry out could not cast doubt on the performance of your duties within the Commission?

I am an experienced parliamentarian at national political level with 17 years of service including over four years at senior ministerial level. During this period, working closely with colleagues across government, I responded to the complex economic and social challenges of Covid-19, the war in Ukraine, and the impact of high inflation on the cost of living.

I am delighted to be proposed as the Commissioner-designate for Democracy, Justice and the Rule of Law. As President von der Leyen stated in her Mission Letter to me, Europe's democracy and economy relies on justice and the rule of law. I look forward to working in a spirit of collegiality with Members of College, Council, Parliament and Civil Society to deliver on our shared objective of security and prosperity for the people and citizens of our Union.

Coming from a country with an unbroken democratic tradition of over 100 years, I am acutely conscious of the importance of free and fair elections, the application of the rule of law, and an independent pluralist media. Upholding our shared values and the Charter of Fundamental Rights is an imperative to which I am deeply committed and will inform all aspects of my work.

I have demonstrated an economic vision which fosters innovation, supports business, and prioritises social equity. I recognise the enormous potential of innovative companies and will work to ensure the appropriate legal structures are in place to maximise the opportunities available to this sector, while ensuring that they are not faced with unnecessary administrative burdens.

I have witnessed the enormous impact and contribution of digital technology to society and the wider economy and the good that it brings. However, I also appreciate the damage that may be caused from its use, including on our democracies. In this respect, I am notably committed to advancing measures to protect citizens, society and democratic institutions under the forthcoming European Democracy Shield and protecting consumers from online harmful practices through the Digital Fairness Act.

The political guidelines of the Commission chart a course for the Union during the forthcoming mandate which seeks to deliver a faster, simpler Europe, one which is more secure in every sense and offers greater prosperity for our people and citizens in a strengthened democratic framework.

This will be achieved by all Members of College embedding these principles in all aspects of their work; and I am committed to so doing in my areas of responsibility by advancing measures to protect our democracy from the most severe risks under a new European Democracy Shield. I will promote and safeguard the rule of law for the

benefit of all citizens and businesses in the EU, foster justice and protect consumers and I work closely with colleagues on cross-cutting priorities.

I am deeply committed to the values of the EU and take great personal pride in our Union. I will seek to be an advocate for the benefits and opportunities of our work using the various forums available to reach as wide an audience as possible. In this regard, stakeholder engagement will be of paramount importance, and I believe my track record as a consensus builder will assist in my work in the mandate ahead.

The effective implementation of the political guidelines of the Commission requires measurement and regular reporting. Through the annual Rule of Law report, I will ensure this comprehensive tool contributes to monitoring and promoting the fight against corruption, promotion of judicial independence and media freedom, and underpinning of our democratic values. I look forward to the opportunity to enhance the Report through the inclusion of a Single Market dimension.

Gender mainstreaming and a gender perspective

Justice and Equality policies are intrinsically linked. I intend to closely work with Commissioner-designate LAHBIB and contribute through my portfolio to the initiatives she will steer to advance equality, including gender equality on which DG Justice and Consumers will also provide input.

By their nature, several of the policy areas under my future leadership already have a strong gender dimension, from the justice area in regards, for instance of victims', rights to the rule of law or the defence of democracy.

I will ensure gender mainstreaming in my work on democracy, for instance in relation to the safety of political candidates and elected representatives, noting that women particularly face heightened threats and pressure. I will also examine how to include gender mainstreaming in other policy areas, such as consumer policy, where the gender dimension could be better taken into account.

Youth mainstreaming

I intend to closely work with Commissioner-designate MICALLEF to ensure that the policies I oversee fully include a youth dimension. As Commissioner-designate in charge of Democracy, I realise how much youth participation in our decision-making processes is vital to ensure thriving democracies. In this respect, I will make youth participation a priority, notably via the organisation of Annual Youth Policy Dialogues starting in the first 100 days and through regular engagement with youth organisations.

I will also fully consider the needs of our youth in regard to access to civil and criminal justice taking in to account the impact of crime on youth victims and I will seek to bring EU citizenship closer to our youth, by better communicating the benefits of EU citizenship.

Young people are an important consumer segment, with specific consumption patterns. I intend to fully reflect this when developing the Digital Fairness Act, which should particularly look at social media influencers and harmful online practices.

Performance of my duties

If I am confirmed as Commissioner, I will fully respect the letter and spirit of the Treaty, in particular the obligation to act in the European interest and without taking any instructions as laid down in Articles 17(3) of the Treaty on European Union and Article 245 of the Treaty on the Functioning of the European Union, and the obligation of professional secrecy in Article 339 thereof.

I commit to avoid any position or situation that could put in question my independence, impartiality and availability to the Commission and to inform the President of the Commission of any situation that might involve a conflict of interests in the performance of my official duties.

I will also honour the Code of Conduct of Members of the European Commission and its provisions on conflicts of interest. My Declaration of Interests is complete and accessible to the public, and I will update it in a timely manner should any change be required.

I will neither seek nor take instructions from any entity. My aim is to consider all interests at stake, irrespective of any national, regional, professional or personal origin and work towards the implementation of the political guidelines accordingly.

I fully support our commitment to transparency set out in the Code of Conduct. I commit to making public all the contacts and meetings I hold with professional organisations or self-employed individuals on any matter relating to EU policymaking and implementation in accordance with the Commission's rules.

2. Management of the portfolio and cooperation with the European Parliament

Can you commit to duly informing Parliament about your actions and those of your departments? In what respect do you consider yourself accountable to Parliament?

What specific commitments are you prepared to make in terms of your engagement with and presence in Parliament, both in committee and in plenary, transparency, cooperation and effective follow-up to Parliament's positions and requests for legislative initiatives? In relation to planned initiatives or ongoing procedures, are you ready to provide Parliament with timely information and documents on an equal footing with the Council?

I commit to fully implementing the wide-ranging provisions of the 2010 Framework Agreement and the 2016 Interinstitutional Agreement on Better Law-Making regarding transparency and the flow of information between the two institutions.

My accountability to the European Parliament

I want my and my cabinet's relations with the European Parliament to be based on trust, transparency and mutual assistance. As a Member of the Commission, I will be personally responsible and accountable to the Parliament for my actions and those of my departments, in particular the Commission's Directorate-General for Justice and Consumers. Given my parliamentary background, I have a deep respect for and understanding of the vital role of parliamentary democracy in our Union. This will be reflected in how I deal with the European Parliament.

I look forward to the opportunity to regularly engage with colleagues in Parliament in both plenary session and committee meetings in a spirit of co-operation and respect. The reports and resolutions produced by European Parliament Committees provide essential insights and I look forward to working to incorporate these into the policy planning and formulation process, working closely with Committee members and Rapporteurs.

Engagement with European Parliament intergroups also offers a valuable means of gaining further insights into the priorities of Parliament particularly in cross cutting areas such as LGBTIQ rights, youth engagement, and digital transition and I aim to fully realise these opportunities.

My specific commitments on my engagement with and presence in Parliament

As an experienced national parliamentarian, I understand how interinstitutional co-operation is key for the functioning of the EU's institutional system and for the benefit of efficiency, legitimacy and good governance of the EU decision-making process. Direct engagement with Parliament is one of the areas of my future work I am most looking forward to.

As Commissioner-designate responsible for democracy and citizenship, I strongly value the role of the Parliament as the voice of European citizens and the embodiment of European democracy. I will thus work closely with the European Parliament and commit to attend plenary debates on issues pertaining to my portfolio.

I also commit to regularly visit the relevant committees in the Parliament for structured dialogues, discuss implementation and enforcement and exchange on new key initiatives. I will maintain a regular and direct flow of information with the chairs of these committees and my door will always be open for Members who wish to meet me.

I will also participate in the trilogues pertaining to my files where I will act as honest broker between the Parliament and the Council. As spelled out in the Mission Letters, I will particularly follow the work of the Parliament on Article 225 resolutions and commit to respond to requests for legislative proposals in full respect of the principles of proportionality, subsidiarity and better law-making.

Working with the co-legislators in a timely manner and on an equal footing

In many of the areas falling under my immediate responsibility, the European Parliament and the Council act as co-legislators.

The European Parliament should be kept on an equal footing with the Council on all legal and political initiatives falling under my responsibility.

The full respect of a loyal inter-institutional cooperation is essential, if not vital, to the delivery of the justice agenda. This is why I will fully apply, in my areas of responsibility, the Framework Agreement and the Interinstitutional Agreement on Better Law-Making.

Questions from the Committee on Internal Market and Consumer Protection

3. What are your envisaged aims and possible actions with regard to Next Consumer Agenda 2025-2030 and the New Action Plan on consumers in the Single Market? Within the framework of the Digital Fairness Act, how do you foresee to tackle harmful techniques and commercial practices related to dark patterns, marketing by social media influencers, the addictive design of digital products, online profiling especially when consumer vulnerabilities are exploited for commercial purposes, and better protect minors? In view of all these upcoming initiatives, how would you ensure consistency and the absence of overlaps with the existing legislation, such as the Digital Services Act, the General Product Safety Regulation, and the Unfair Commercial Practices Directive, and, in general, how do you envisage to modernise and enforce the product safety policies to ensure that the EU countries are a global setting-setter in terms of consumer protection and product safety, as requested in your mission letter? Could you inform us about the upcoming actions to preserve fairness and integrity of our political system and, within this context, confirm your engagement to work with IMCO, notably on the transparency of third country interest representation proposal? How would this proposal interact with the proposed European Democracy Shield?

If I am confirmed as Commissioner, I would like to take forward the Consumer Agenda 2025-2030 as a shared vision that makes a difference in people's lives. Consumers play a key role in our social market economy, contributing to sustainable growth and to a more competitive Single Market. Consumer choices determine companies' results. But equally, I will promote through our consumer policy a fair transition to a green and digital economy, fostering economic growth with social cohesion, protecting and empowering consumers, providing a wide choice of sustainable products, affordable also for the most vulnerable.

The Action Plan on consumers in the Single Market will be part of the Consumer Agenda, which could also have a specific focus on enforcement. Full, equal and effective implementation of rules is what creates a level playing field, both for consumers and for companies, in the Single Market. Consumers need information and enforceable rights, but we cannot overburden companies struggling with red tape. I fully share the emphasis given to implementation, simplification and delivery in my mission letter. I also envisage actions to encourage circular products and behaviours, strengthen international cooperation, and better protect consumers against unsafe products on online platforms.

The Action Plan on consumers in the Single Market would protect consumers against unfair discrimination in the cross-border delivery of goods and services by addressing payment restrictions, territorial supply constraints and the provision of cross-border financial services. It shall bring the benefits of the Single Market to every consumer.

The Digital Fairness Act is the missing piece of the puzzle in the EU's digital rulebook.

The recently adopted digital legislation, such as the Digital Services Act and the Digital Markets Act, is groundbreaking and will have a positive impact on consumer protection, including by providing a supportive framework for the protection of consumer rights online. Still, the conclusions of the Digital Fairness Fitness Check showed that gaps remain and we must continue to address the shortcomings identified in a targeted and proportionate way. In particular, we need more clarity about what is allowed and what is not allowed online. I plan to address the four core issues highlighted in my mission letter, namely dark patterns, influencer marketing, addictive design and problematic personalisation, especially when consumer vulnerabilities are exploited. We also need to assess potential problems with digital contracts and subscriptions, such as difficult procedures for cancellations. I want to pay special attention to the protection of minors as online consumers – as active users of digital services (e.g. social media, video games). Being often the early adopters of new technologies, they are particularly exposed to risks.

The Digital Fairness Act will protect consumers in the digital sphere and ensure they can fully benefit from the digital market. It would complement other legislation, ensuring a coherent and consistent framework. For example, for dark patterns, the Digital Services Act sets out design obligations for online platforms. The Digital Fairness Act could add supplementary obligations for other commercial actors. The new digital rulebook needs to apply in practice and, as explained under the next question on enforcement, I will, if confirmed, ensure that it is monitored and enforced in a coherent and complementary way with consumer legislation, so as to ensure effective protection and competitiveness. I will equally pay attention to views from companies, to ensure the rules are easy to implement and least burdensome.

On product safety, my focus will be on implementing and enforcing the brand-new General Product Safety Regulation and modernising the existing tools to ensure more efficient market surveillance, principally through better use of IT tools. To fully use the new procedures under the Regulation, I would work in support of Member States' market surveillance and joint enforcement efforts. For example, by organising joint product testing activities involving mystery shopping or facilitating EU-level product safety sweeps, especially regarding online sales, we can show that the EU cares for the consumers. These measures will have to make an essential contribution to tackle the challenges with e-commerce platforms, which see sales exploding in spite of many known instances of product non-compliance. It is essential that the EU acts to ensure the safety of products ordered directly from third countries, in the same way as we ensure safety of products bought in the EU or in shops. I will aim to make sure that all online players respect their new safety obligations. I also want the EU to continue promoting high product safety standards worldwide through intensified cooperation with strategic international partners.

The new European Democracy Shield set out in the Political Guidelines will be a flagship initiative to preserve fairness, plurality and the integrity of our political system by protecting it from foreign information manipulation and interference. If confirmed, I consider this to be a major priority, working in cooperation with my fellow Commissioners. Democracy can never be taken for granted, and we need to protect the EU's systems both from malign foreign interference and from erosion. We can also bring a European dimension to ensuring that citizens can be proud of how Europe will continue to evolve as a vital and dynamic democracy. Democracies around the globe are taking action to increase their resilience in the current geopolitical context. We need strong EU common standards to protect our democracy. The recently adopted Political Advertising Regulation is an example of an EU rule reinforcing our democratic protections by making it easier for citizens to recognise political advertisements, understand who is behind them, and know whether they have received a targeted advertisement, so that they are better placed to make informed choices. Moving forward, the EU should continue to contribute to setting high standards on how to address challenges to our democracies in a coherent, balanced, and proportionate way, fully respecting fundamental rights and EU values.

Democracy implies strong checks and balances. I will actively work to promote transparency and integrity in the democratic sphere. Dangers to democracy can come from foreign manipulation, disinformation or from domestic risks such as erosion of democratic institutions or deterioration of participatory practices. If confirmed, I would work actively with the co-legislators to advance the proposed Directive on interest representation carried out on behalf of third countries. This proposal is a response to increasing concerns over foreign influence attempts in the EU.

I know that this is a consistent concern in Parliament: In its resolutions, Parliament has underlined the importance of ensuring transparency of foreign influence through interest representatives and welcomed the adoption of the Defence of Democracy Package, including the proposed directive. The Commission's proposal is underpinned by a rigorous impact assessment, as also requested by the European Parliament in its Recommendations for reform of the European Parliament's rules on transparency, integrity, accountability, and anti-corruption. If confirmed, I look forward to working with the Rapporteur and the shadows to advance work in the coming months. I would pay particular attention to issues such as ensuring the proposal's clarity and efficiency, minimising the administrative burden and having strong safeguards, including against possible risk of stigmatisation of specific economic operators and civil-society organisations. The result can be a powerful demonstration that we can use transparency to protect us from the risks of interference.

Consumers, democracy and the rule of law will be my priorities from the start and throughout my mandate.

4. Effective and efficient enforcement of EU consumer protection legislation is of paramount importance for consumer policy and should therefore be a priority for the coming years, as it is also highlighted in your mission letter. How would you ensure that there is proper enforcement of consumer protection legislation at cross-border and national levels and what are the measures that the European Commission is going to adopt to further strengthen the mechanisms of cooperation and the enforcement powers of national authorities, including

regarding the role and tasks of the Consumer Protection Cooperation Network? Do you plan to present a revision of the Consumer Protection Cooperation Regulation within the first 100 days of the mandate? How do you plan to report back to the IMCO Committee on the results of these enforcement activities and on the envisaged actions to further enhance them?

With the acceleration of e-commerce and digitalisation following the COVID-19 pandemic, new enforcement challenges have emerged, amplified by the arrival of new players often from third countries, which now dominate EU consumer markets. Consumers buy increasingly online, but compliance with basic consumer law remains insufficient. Data from annual compliance checks carried out by the Consumer Protection Cooperation Enforcement Network under the coordination of the Commission shows that, on average, just 50% of the websites checked comply with basic consumer rights. This shows a need for further action, which I am eager to take up. While it is for national authorities to enforce the rules regarding protection of consumers, including those stemming from EU law, the Commission coordinates and supports their work under the Consumer Protection Cooperation Regulation to ensure effective enforcement against widespread and EU-wide violations.

If confirmed, I intend to work on several strands:

Collective and private redress, including out-of-court dispute resolution procedures, are key elements in ensuring compliance with consumer law. If I am confirmed, I will take steps to support the new European model of collective redress set up by the Representative Actions Directive. I will work to ensure that Member States transpose this Directive fully and correctly and work together to ensure its effective implementation on the ground. I would of course be ready to pursue infringement procedures if required. We can provide measures helping the qualified entities designated to bring representative actions, as they need to build their operational capacity. In exchanges with judges we will assess how to best manage collective claims. All the above actions aim at efficient and coherent functioning of collective redress across the EU.

I will also work to support adoption of the pending Alternative Dispute Resolution (ADR) proposal which aims to make the procedure fit for the challenges of digital age and cross-border transactions and to increase the engagement of traders in it.

To further improve the enforcement of consumer law, I will continue to explore approaches to strengthening the Commission's supporting role in circumstances that affect consumer throughout the Union, and across borders. I will also seek to further improve the enforcement cooperation system for national authorities who will continue to enforce most widespread breaches of EU consumer law, while also focusing efforts on strengthening our ability to effectively enforce EU rules against large multinationals that target our consumers from outside of the EU. Any actions in this context should ensure consistency, complementarity, and coordination with related legal instruments, such as the Digital Services Act, the Digital Markets Act, the Artificial Intelligence Act, or the General Data Protection Regulation.

I commit to regular reporting to the European Parliament and its IMCO Committee and to update you personally on my work to further strengthen enforcement of consumer law, as part of our structured dialogue. I would also welcome the opportunity to present to the European Parliament annually the progress on implementation. Effective delivery must be the objective of our policies and the institutions working together can make a real contribution to identifying shortcomings and identifying solutions holding up the benefits which citizens and businesses should enjoy from our policies.

5. Looking back at all the achievements and the legislation that was adopted during the previous parliamentary term to empower consumers in the digital and green transitions, it is crucial that the European Commission monitors the implementation of the relevant legislation to ensure a high level of consumer protection and a level playing field for businesses. On top of the Implementation Dialogues and the Annual Progress Report on Enforcement and Implementation, which are mentioned in your mission letter, what are the specific actions that you will take to effectively monitor the application of the current legislation on consumer protection? In this framework, how will you assist businesses, in particular micro-enterprises and SMEs, to comply with their obligations and what steps will you take to better inform consumers about their rights and remedies? How do you intend to keep the IMCO Committee informed about the current and upcoming Commission activities and about the progress in this field?

If confirmed, I look forward to holding the implementation dialogues with stakeholders set out in the Political Guidelines to having direct feedback on what works well and what can be improved. An overview of all recently adopted EU consumer legislation can serve as a starting point, but other topics such as labelling and online

consumption could be looked at. This can be a major support to consumers' confidence that if they face obstacles to benefitting in full from the single market, we will be active in response. The consumer movement and consumer representative bodies would naturally be part of this, but all actors in the value chain should participate, helping us to identify concrete implementation challenges on the ground. This will support work to accompany Member States in the transposition and implementation of newly agreed EU legislation, such as Empowering consumers in the green transition or the Right to repair, for example through workshops and bilateral discussions.

The Commission regularly evaluates whether existing laws are still fit for purpose. The Fitness Check on digital fairness was a prime example of this. Such evaluations are based on market monitoring and data collection, in cooperation with Member States, consumer organisations and businesses. I am a firm believer that our policies must be based on strong evidence and data, as basis for proportionate and effective measures.

In the process of transposition and implementation I will be very vigilant about administrative burden. I will also support businesses in their preparations for the new legal rules' application, for example, through dedicated events, explanatory documents or, where necessary, updates of support programmes. Generally, where issues of non-compliance are detected, I will engage in dialogues with Member States and, if necessary, initiate infringement proceedings. Especially in the area of consumer protection, authorities and companies are key allies to deliver.

I would intend to take forward the work to help all market participants – consumers, traders, including SMEs, and authorities – to understand EU consumer and product safety laws better and to apply them in a consistent fashion. There are several examples of projects in this direction: One area for attention is influencers, who are considered as micro-businesses when they engage in regular commercial activities online. The Influencer Legal Hub launched by the Commission, and which is a video training on the European consumer protection standards that need to be applied when advertising, selling goods and providing services, is an example of awareness raising that I believe to be useful to expand upon.

I am also keen to continue developing projects such as the “Consumer Law Ready” training project for SMEs, under which the EU consumer and business organisations provide training for SMEs on consumer law, online and offline. The material is provided in the national languages and adapted to consumer law as it applies in the Member States, benefitting thousands of small companies.

Communication campaigns are a useful tool to alert businesses and consumers of their rights and obligations, in particular when new rules are adopted. Currently, more than one in three consumers (37%) has a low level of knowledge of consumer rights, and again, one in three do not complain when they have a problem. Better informing consumers about their rights will be critical for me. These campaigns often draw attention to more detailed information on Your Europe portal, the Commission's one-stop shop for information on the internal market, explaining consumer rights and traders' obligations in an easy-to-understand fashion. For example, once Member States start applying the Right to Repair Directive, a communication campaign could promote the opportunities that it brings for consumers and businesses. Similarly, a campaign could also address consumers and businesses on the new framework introduced by the General Product Safety Regulation. In all this work, we should make good use of the European Consumer Centres Network, stimulating tailor-made communication at national level, and I will ensure national consumer associations and authorities are always well informed and involved in Commission communication activities.

Beyond our regular structured and implementation dialogue, I intend to keep the IMCO Committee informed about the current and upcoming Commission activities and progress in this field by inviting you to Commission events, for example, the European Consumer Summit, as well as by sending implementation reports as required by EU legislation.

Questions from the Committee on Legal Affairs

6. Civil justice

Cross-border cooperation between justice systems in civil, family and commercial matters has been developed and strengthened over the last decades.

Nevertheless, EU citizens and businesses still face legal and administrative barriers in exercising their rights owing to the differences between and complexity of the legal systems of the Member States, especially when involved in cross-border civil, family and commercial disputes that can be costly and lengthy. This prevents SMEs and micro-enterprises from expanding their activities and growth and can cause EU citizens distress and legal uncertainty. In addition, failing correct transposition, implementation and enforcement of Union law, our citizens

cannot fully benefit from their rights, our companies cannot enjoy a level playing field and, as a result, trust in the European project is undermined.

Moreover, the efficient administration of justice requires serious efforts to have robust budgets to fund its machinery, i.a. in terms of training, staffing, digitalisation. In that respect, an effective cooperation with the Commissioner on budget in order to ensure the necessary financial resources in this, often less prioritised area, is essential.

What specific policies or legal initiatives are being considered by the Commissioner-designate to enhance access to justice (also in the context of recently adopted SLAPPs directive), civil law judicial cooperation, in particular regarding cross-border enforcement of judgments, cross-border implications of collective redress regarding private international law elements, cross-border family law (including recognition of parenthood), harmonization of procedural rules, further digitalisation of the justice systems and judiciary, with particular focus on the increased use of AI and other legal tech solutions, in a manner that is compatible with the general principles of the rule of law, principles of judicial independence and procedural transparency, deregulation, appropriate funding, simplification of procedures, strengthening of the judicial training and enhancing the mutual recognition of judgments?

The EU benefits from comprehensive EU legislation in civil, family, and commercial matters facilitating cross-border judicial cooperation between Member States. It deals with issues of jurisdiction, applicable law, recognition and enforcement of judgments, in practically all areas of civil and commercial law including insolvency, divorce, parental responsibility, maintenance and successions. The EU also has common uniform rules instruments on service of documents and taking of evidence and has created some simplified and fast “European procedures” for certain cross-border situations, to mention just a few examples.

This is a success story for European citizens and businesses. If I am confirmed, I intend to continue this work.

A first contribution if confirmed will be in helping to conclude the ongoing pending interinstitutional negotiations on the proposals concerning the protection of adults, the recognition of parenthood, the assignment of claims and insolvency, the latter being key for investment decisions.

To set the scene for the future, I consider that there is now momentum to look at an overarching vision for the future of civil law. I would explore a high-level process on justice for growth, to look at how this policy area, alongside company law, can contribute to enhancing growth and competitiveness and bringing down barriers in the EU further. Such a forum would involve the European Parliament, Member States and industry stakeholders.

My aim is to improve access to justice for citizens and businesses alike throughout the EU. I strongly believe citizens and businesses must not be discouraged from exercising their rights by the incompatibility of legal and judicial systems in Member States. As set out above for consumer policy, also in this area, I will focus on closely monitoring and ensuring correct application of the existing *acquis* and modernising where necessary. Keeping instruments up to date with the latest developments, including digitalisation, and at the same time providing legal certainty with stable rules, is a priority. I will also examine the need to review existing procedural standards in the context of these reviews, in particular to further enhance mutual recognition of judgments.

I see scope for creative, new work on implementation, whilst of course maintaining the option of infringement proceedings if required. Key legislation includes for example the new directive on protecting persons who engage in public participation from strategic lawsuits against public participation (‘anti-SLAPP Directive’). To help citizens, businesses and justice professionals, I will work towards improving the user-friendliness of the justice-related information and digital tools on the e-Justice Portal. Another priority is to strengthen and raise awareness of the support provided by the European Judicial Network in civil and commercial matters as a key player facilitating the practical judicial cooperation between the Member States.

In the area of family law, my intention would be to further develop judicial cooperation, in particular by the adoption of the pending proposal on the recognition of parenthood and ensure uniform and effective enforcement of the entire *acquis*.

In addition to constantly seeking to improve implementation, legislation itself needs to be modern and up to date. If confirmed, I will look into the application and whether there is a need to review the Brussels Ia Regulation on jurisdiction and recognition and enforcement of judgments, and the Rome II Regulation on the law applicable to non-contractual obligations, starting with the adoption of reports on the application of these two Regulations, planned early next year. These instruments are crucial components of a functioning internal market since they ensure a stable and predictable framework for businesses and consumers in cross-border commercial transactions.

Uniform and simple rules in this area are of particular importance for SMEs that want to trade across borders. These rules need to be fit for purpose and keep pace with a changing technological and legal environment. Challenges posed for example by collective redress, abusive lawsuits against public participation (SLAPPs), transactions in an online environment and the use of artificial intelligence will need to be a particular focus of our work.

Digitalising further judicial proceedings can allow Member States, citizens, as well as companies, especially SMEs, to be more productive and to save costs, while contributing to strengthening the Single Market and enable a true European justice area. If confirmed, I intend to table a new Digital Justice Strategy to provide justice professionals with state-of-the-art digital tools, including promoting AI, to make justice more efficient – while also remaining fully conscious of the need for full respect for fundamental rights and EU values. This will go hand in hand with judicial training to improve digital skills. I intend to discuss with you, as well as with Member States and stakeholders, how to achieve this. It is true that this work, at national and EU level, needs to be resourced well to serve its purpose of supporting judicial training, improving access to justice and enhancing judicial cooperation.

7. The 28th (Company) Regime

The recently published Draghi Report on "The Future of European Competitiveness" proposes establishing a new EU-wide legal statute for innovative start-ups, the "Innovative European Company" (IEC), which would have a single digital identity valid in the EU. Such companies would benefit from a number of legal arrangements, including harmonized rules on corporate law and insolvency. It would appear that the IEC is reflected in your mission letter by the announcement of the so-called 28th Regime for innovative companies leading to the creation of an additional, optional legal framework that companies across the EU could choose to adopt and that would allow for overcoming the current fragmentation between the 27 domestic systems.

Under this 28th Regime, participating Member States could harmonise key areas such as corporate law, insolvency law, labour law, and taxation, offering companies a consistent legal environment across borders. This regime would operate alongside existing national frameworks, providing an optional, unified set of rules that companies could voluntarily choose if they find it more advantageous.

In order to succeed on the 28th Regime you would have to (i) act to enhance competitiveness and productivity; (ii) make sure that the ultimate legislative act truly contributes to simplification for businesses, is attractive and effectively chosen by companies, brings true added-value to the current legislative framework and ensures correlation with pending proposals such as the December 2022 proposal for a directive to harmonise some of the material insolvency law; (iii) consider whether the December 2022 proposal for a directive to harmonise some aspects of material insolvency law needs to be replaced with a new one also covering IECs; (iv) clarify whether the 28th Regime should concern businesses in general or only innovative businesses; and in addition (v) overcome the concerns of the Member States that led to the failure of similar initiatives in the past. If your appointment as Commissioner were confirmed how would you intend to achieve all that?

I am pleased by the strong political focus on deepening the Single Market, making it easier to do business, on bringing down barriers and fully exploiting the scale of a market of 450 million consumers. If I am confirmed, one of my priority objectives, in line with the Political Guidelines, will be to contribute to EU competitiveness and “to making business easier and faster in Europe”, with a particular focus on reducing administrative burden. As a flagship initiative, I will prepare a specific proposal on an EU-wide company legal status – a 28th regime – with a view to helping innovative companies grow.

Such a 28th regime would offer companies a choice to carry out their activities across the Single Market through an EU-wide legal status instead of having to adopt national legal forms in Member States where they would like to do business. The 28th regime should be understood as one element in a wider set of measures needed to boost innovation, competitiveness and productivity of the EU economy. Measures attached to such 28th regime, going beyond the company legal form, could cover, for example, access to markets, to finance, to skills, to insurance coverage, rules on contracts, taxation, insolvency, in order to address all the most essential aspects of corporate activity for such companies. The benefits would be proportionately greater for smaller companies with less financial and human resources to navigate a fragmented legal landscape.

I am well aware that earlier attempts to put a European company status in place were difficult. But since 2019, the EU company law acquis has significantly developed, with fully online procedures (to set up a company, to register branches and to submit mandatory information to business registers), application of the “once only principle” when companies set up subsidiaries and branches in other Member States, and harmonised procedures for cross-border mobility of EU companies (i.e. cross-border mergers, divisions and conversions) including safeguards for

employees and against abuse. These developments address some of the concerns that have prevented previous initiatives, which could smoothen the way to an agreement on a new 28th regime.

I would intend to build on already existing solutions such as a single identity for companies through a European Unique Identifier based on a single registration and a new harmonised multilingual digital EU Company Certificate that can be used in all cross-border situations and is compatible with the European Digital Identity Wallet. This approach is in line with the call made in the Draghi report. When preparing the proposal, it will be important to ensure coherence with other initiatives to support innovative companies announced in the Political Guidelines or mission letters of my colleagues, such as the European Innovation Act or the upcoming Single Market Strategy. I look forward to working with other Commissioners to this objective.

Notwithstanding the momentum, we should carefully consider which issues can be effectively addressed by the 28th regime. One of the key questions to consider will indeed be the scope of a 28th regime, namely whether it should be available to all companies or only to innovative ones, and that the conditions for benefiting from such status should in any case be clear. It is clear to me that this issue needs to be discussed more in depth with the European Parliament, the business community, social partners, Member States and other stakeholders in a high-level process on justice for growth. This will allow us to identify what problems companies – in particular innovative ones – face in the Single Market and how to best address them.

As regards insolvency, the fragmentation of insolvency law across Member States indeed constitutes one of the key obstacles to a true Capital Markets Union (CMU). It impedes cross-border investment and the access to capital at the most favourable conditions for companies. The 2022 Commission proposal, as a key element of the CMU Action Plan, aims to address the current situation through targeted harmonisation. I am confident that the proposal will improve the situation for all companies, big and small, as harmonisation is indispensable across the board. It will also be of particular benefit for start-ups through the proposed simplified insolvency procedure for small enterprises. The April 2024 European Council identified this proposal as a priority deliverable and has called for its swift adoption. I share this assessment, and I would push for quick progress in the negotiations. I hope that the Parliament will also soon adopt an opinion supporting the proposal.

8. Digital policies

The 9th legislative term was characterised by the passing of numerous acts in the digital domain: AI Act, DSA, DMA, Data Act, to name but a few. Within its competence over civil, procedural and intellectual property law, the Committee on Legal Affairs contributed important opinions on those files. It was furthermore responsible for the eCodex Regulation (Regulation (EU) 2022/850), for the Package on the digitalisation of Justice (Directive (EU) 2023/2843 and Regulation (EU) 2023/2844) and for the revision of the Product Liability Directive (2022/0302(COD) to adapt it to both the circular and the digital economies. In addition to regular fitness checks of the legal instruments in force, much remains to be done, for instance in relation to digital inheritance, smart contracts and decentralised autonomous organisations (DAOs), the virtual worlds and, especially in the light of the European Parliament resolution of 20 October 2020 with recommendations to the Commission on a civil liability regime for artificial intelligence (2020/2014(INL)), the Commission proposal for an AI Liability Directive. What are the measures that you intend to launch to implement the aforementioned legislation, to address the remaining regulatory gaps and to ensure digital fairness and that citizens' rights are respected and that businesses and national administrations are not toppled by administrative burdens and red tape?

It is true that the last years saw groundbreaking new laws in the digital sphere being adopted. This makes the EU a frontrunner, brings certainty and allows innovation that preserves the human-centred and values-based EU approach. It is now time to turn this into real benefits for people and companies. Implementing the recently adopted EU digital rulebook will be a priority for the new Commission to ensure that it delivers significant and concrete improvements.

To support the implementation of the Data Act, I will support the work on on the Recommendation for model contract clauses for data sharing and cloud computing to be delivered next year. These voluntary model clauses will help companies, in particular SMEs, to apply the Data Act. It is important to monitor how these clauses contribute to the European Data Union and whether further action is needed on the sharing of data.

To contribute to the full application of the AI Act in the justice area, several actions are necessary, and if confirmed, I intend to take action in these areas. Targeted guidance is needed for Member States to classify the different tools into the risk categories of the AI Act and ensure compliance with its requirements. An exchange of best practices,

the development of a toolbox, and targeted EU funding would support effective use of AI tools by judicial authorities in the Member States.

Nevertheless, certain gaps have been identified in the legal framework, in particular as regards liability for AI-caused harm. In light of the conclusion of negotiations on the Product Liability Directive, I am therefore committed to look closely into the grounds for current divergences between the co-legislators in the negotiations on the proposal for the AI Liability Directive. The Parliament's resolution and recent study are important inputs to this regard.

With a view to support innovative digital business models that are using AI contracting and smart contracts, an analysis will be needed as to how best take account of the 2024 UN Model Law on Automated Contracting and if so, whether to act at EU or at national level.

In the area of consumer protection, recent digital legislation has brought significant improvements. Nonetheless, a number of gaps remain as highlighted by the recent Digital Fairness Fitness Check. If confirmed, I intend to respond to these gaps through proposing a Digital Fairness Act to address outstanding concerns relating to dark patterns, social media influencers, addictive design of business-to-consumer interfaces and online contracts.

Based on ongoing Commission work to implement the initiative on Web 4.0 and Virtual Worlds and of your suggestions for regulatory issues in international private and civil law for Virtual Worlds to be tackled, I look forward to discussing with you how to ensure that virtual worlds can develop in a way that reflects EU values, principles and fundamental rights. I will monitor the issue of digital inheritance, mostly governed by national law, and assess the possible need for EU rules including in the context of the Succession Regulation.

Questions from the Committee on Civil Liberties, Justice and Home Affairs

9. Fundamental rights, civil society, and data protection

As the Commissioner responsible for monitoring the application of the Charter of fundamental rights, how will you engage with Member States to ensure the promotion and respect of fundamental rights, including through the implementation of the relevant EU Court of Justice and ECHR case law? Do you envisage further measures to develop the link between potential breaches of the Charter and of the principles of democracy and the EU budget? Will you engage in annual reporting to the European Parliament on the application of the Charter? What actions do you envisage to enhance the protection of civic space, including through the Union values strand of the Citizens, Equality, Rights and Values programme and the new Civil Society Platform envisaged in your mission letter? What are your plans to ensure the efficiency and transparency of EU funding for the civil society? Considering the recent Court of Justice judgement in the EUlex Kosovo case, what is your strategy for completing the EU accession to the European Convention on Human Rights?

How will you ensure that the EU Agency for Fundamental Rights is provided with the resources it needs to carry out all the tasks according to its mandate? Will you commit that FRA is systematically consulted in law-making and impact assessments in areas that address or impact fundamental rights?

Data protection is one of the fundamental rights in the EU legal order and the GDPR is the EU's most powerful tool to safeguard it. Generally, how do you view the enforcement of the GDPR, particularly in cross-border cases? How do you see the relationship between GDPR enforcement and the enforcement of other EU digital laws, such as the Digital Services Act, the Digital Markets Act and the Artificial Intelligence Act? Regarding artificial intelligence, how, in your view, should the relationship between safeguarding fundamental rights and fostering innovation look? Do you find the EU data protection legislation efficiently fulfilling its goal in today's time or do you see a need for reflection on that matter? Given the previous concerns of the Parliament regarding several of the adequacy decisions of the European Commission, and a number of relevant CJEU judgments, what are your plans with respect to the international flows of personal data? How do you plan to address these concerns, taking into account the importance of global data flows for EU companies? How do you see the role of the Commission in promoting international cooperation on the protection of personal data?

If confirmed as Commissioner for Democracy, Justice and Rule of Law, I see it as my task to ensure that every day, every EU citizen, wherever they live in the EU, enjoys the same fundamental rights based on the values that must be at the heart of our work: equality, non-discrimination, inclusion, human dignity, freedom and democracy grounded in the Charter of Fundamental Rights of the EU.

To strengthen the application of the Charter of Fundamental Rights in the EU, the Commission set out a strategy in 2020 which follows up on calls from the European Parliament and from Member States for stronger monitoring

of the Charter. This is a joint challenge for both Member States and the EU in which I will be fully engaged if I am confirmed. I would intend to make the most of what is already in place: Member States' Charter focal points have an important role to ease the flow of information (26 focal points have been nominated) and the Commission also supports Member States in transposing and implementing EU law through expert groups. I will continue supporting and investing in training and resources on the Charter, including in cooperation with the Fundamental Rights Agency, which benefit national practitioners and officials.

Knowing where we stand is a key starting point. Since 2021, the annual reports on the application of the Charter provide an overview on different thematic areas of strategic relevance for fundamental rights, highlighting applicable EU law and policy, and achievements and challenges at the EU level and in the Member States. I stand ready to continue to present these annual reports to the Parliament and exchange with you on the achievements and challenges identified in the chosen policy area as well as on the resolution you adopt every year on the situation of fundamental rights in the EU. This would be an important theme for my annual reporting on implementation.

I believe that we also need to see monitoring of the Charter in a wider context. The application of the Charter is an integral part of the Commission's overall monitoring of Member States' implementation of EU law and compliance with the judgments of the Court of Justice. Most of the fundamental rights of the Charter correspond to the rights enshrined in the European Convention on Human Rights of the Council of Europe. This connection is why, since 2023, the Rule of Law Reports look at the implementation rate of leading judgments of the European Court of Human Rights. Even though it is not for the Commission but for the Council of Europe organs to monitor the implementation of judgments of the European Court of Human Rights, the degree of implementation of these judgments is an indicator for the functioning of the rule of law, especially if structural or systemic concerns remain unaddressed.

Finally, when it comes to the EU budget and the respect of fundamental rights, the horizontal enabling condition on the effective application and implementation of the Charter (Charter HEC) ensures that EU funds are spent in full respect of the Charter. The Political Guidelines point to the need for an impactful budget for the next MFF, looking at how the various types of incentives could be strengthened. The Guidelines confirm that the respect of the rule of law is a must for EU funds. Ensuring coherence between our budgetary instruments and related actions will be an important consideration, and I will work together with my fellow Commissioners to explore how best to maximise the impact.

Civil society organisations and human rights defenders play a key role in protecting and promoting the EU values of fundamental rights, rule of law and democracy. If confirmed, I will intensify the Commission's work to enable a thriving civic space in Europe, including through targeted funding to support and protect civil society actors. Civil society organisations and human rights defenders are crucial for the well-functioning of our democracies and to promote and protect the EU common values enshrined in the EU Treaties and the Charter of Fundamental Rights, helping to ensure the protection of the rule of law on the ground. Yet, there is evidence that the space for civil society is shrinking across the EU. I will step up our engagement with civil society organisations and human rights defenders, including through a Civil Society Platform to support more systematic civil dialogue on matters relating to EU values. This will provide a single framework for participation across a range of EU policies. I will also look at how we can involve civil society more strategically in the Commission's work in a meaningful and effective manner, including as part of the work on the Democracy Shield.

In addition, I will examine ways to make the support we are providing on promoting rights and values by further empowering civil society, more stable and long term. For example, we could address the existing and sometimes overlapping systems to monitor the environment in which these actors work at the national level and work closer with Member States to better protect the environment in which civil society organisations and human rights defenders operate at national and EU level.

The Citizens, Equality, Rights and Values programme (CERV) provides support for civil society organisations and human rights defenders, in particular through its Union Values strand. It also requires a thorough risk management and monitoring system at each stage of the process - selection, implementation and evaluation - as well as during each project's lifecycle, and part of its impact has come through the openness and transparency with which it works. It is also important to make sure that funding from these programmes does not fall in the wrong hands.

Concerning the EU accession to the European Convention on Human Rights, the Eulex Kosovo judgment of 10 September 2024 represents a significant step forward bringing the EU closer to becoming a party to the Convention. The judgement provided further clarity on the aspects of Common Foreign and Security Policy and

we now need to discuss its implications with Member States. There are still many steps ahead, including an Opinion of the European Court of Justice on the revised agreement's full compatibility with Treaties, the approval of the Council, the consent of the European Parliament and the approval by Member States in accordance with their respective constitutional requirements. However, I consider that we are closer than ever before to achieving this milestone for human rights protection in Europe and look forward to making a renewed effort to bring this path to fruition.

I believe that the Fundamental Rights Agency (FRA) has proved itself a crucial actor in the overall work to support fundamental rights. We should continue to draw on FRA's valuable expertise when carrying out impact assessments and preparing initiatives to ensure that Commission proposals meet the highest fundamental rights standards. I also very much welcome that fact that all institutions can seek FRA's advice as legislation progresses.

On data protection, effective enforcement of the EU rules is essential to guarantee the fundamental right to protection of personal data in the EU. I am fully committed to enforcement action in large-scale cross-border cases, where the personal data of millions of Europeans is affected. This is why I am looking forward to engaging with the co-legislators to achieve a rapid adoption of the Commission's General Data Protection Regulation (GDPR) procedural rules proposal. This would support the robust and efficient enforcement of the GDPR by data protection authorities in large, complex cases, helping to reach a consensus on key issues at an early stage in the case. Data protection authorities would find it easier to swiftly bring an end to infringements, hold rule-breakers to account, and deliver remedies for individuals.

As stated in my mission letter, I will ensure that the GDPR remains in line with digital transformation and responds to changing needs, including security and competitiveness.

The EU has adopted a range of initiatives aimed at shaping Europe's digital future. Each of these new initiatives pursues a particular aim, for example providing a safe environment online or making digital markets fairer and more contestable. None of these initiatives aim at regulating the processing of personal data as the main objective and it is clear that the GDPR remains the cornerstone of the EU digital regulatory framework for the processing of personal data. At the same time, in some cases, these new initiatives complement the GDPR or clarify how it should be applied in a specific area, so it is crucial to ensure consistency and coherence including in implementation and enforcement of these rules. I believe we therefore need to reinforce cooperation between enforcers. There are several ongoing initiatives in this respect. The European Data Protection Board (EDPB) is actively contributing to the work on the Digital Markets Act (DMA). While these developments are positive, I would further reflect on how to foster a more structured and efficient cooperation, in particular to address situations where several regulators are concerned. I am committed to supporting all efforts to ensure the coherent and complementary application and enforcement of the entire digital rulebook, while preserving the competence of the respective enforcers.

The success of the GDPR, as a source of inspiration for many modern privacy laws around the world offers new opportunities to develop tools for safe data transfers, including new adequacy decisions, in full compliance with the requirements set by the Court of Justice and further developed by the EDPB. International data flows are an essential element in the digital transformation of our society and an increasingly global digital economy. Respecting privacy is a condition for stable, secure and competitive commercial data flows as well as an enabler for international cooperation in areas such as law enforcement and judicial cooperation, regulatory cooperation, research, to name a few. This is why I intend to intensify the ongoing talks with different third countries, for instance, Brazil and Kenya, and to explore the possibility of launching negotiations with further international partners that have recently adopted data protection laws providing for a high level of protection. I will also work on facilitating trusted transfers with international organisations through the adoption of adequacy decisions and/or the development of other transfer mechanisms provided by the GDPR.

I will continue to ensure that adequacy decisions are adopted only after thoroughly assessing that all relevant legal requirements are met, with a particular attention to the effective exercise of rights by data subjects before independent supervisory authorities and courts, including in the area of government access to data. Promoting international convergence around high standards of protection will be one of my priorities. Existing tools and fora – such as, for example, the Commission's "Data Protection Academy" or the recently launched "Adequacy Network" – could play an important role in promoting the exchange of information, experience and best practices between the EU and foreign partners.

10. Rule of Law and media freedom

As Commissioner in charge of rule of law, what is your plan to strengthen the impact of the annual Rule of Law report and how do you plan to address the impact of rule of law on the functioning of the Single Market? How do you respond to the Parliament's call for an enlarged scope of the annual rule of law report to all the values mentioned in Article 2 TEU and for the establishment of an EU mechanism on Democracy, the Rule of Law and Fundamental Rights governed by an interinstitutional agreement? What would be your concrete actions to support the Parliament's call to continue Article 7 TEU hearings in the case of Hungary and are you considering proposing a reform of this procedure? Are you committed to making full use of the enforcement tools, in particular expedited infringement procedures, applications for interim measures before the CJEU and systematic follow-up actions regarding the non-implementation of the CJEU's judgments? How do you plan to strengthen the application of the Rule of Law Conditionality Regulation and the coherence with other relevant legislative acts? What would be your position as regards the fulfilment of rule of law related milestones in the various Member State RRP as a condition for disbursing funding and how will you ensure that the de-freezing of funds is done only when these conditions are fulfilled? How you would coordinate with the other Commissioners (e.g Budget) with responsibility for the application of these conditions and how do you intend to strengthen the rule of law dimension in the next MFF?

What are your plans to strengthen further the protection of independent media, journalists and human rights activists? What measures do you envisage to ensure the implementation of the EMFA, including on the protection of journalistic sources and confidential communication from intrusive surveillance? Will you present a legislative proposal to ensure that the use of intrusive surveillance tools by public and private actors is in conformity with democratic standards, principles of rule of law and the Charter, in line with EP recommendations? Which key proposals will the European Democracy Shield contain, including as regards safeguarding integrity of democratic processes and elections in the EU? Will you consider proposing legislation that expands the scope of SLAPP directive to include all SLAPP cases (including under criminal law)?

The rule of law, fundamental rights and democracy are the foundation of our Union and in today's world, we all need to promote, support and defend these values. As recognised in the Political Guidelines, our future will depend on having a strong democracy and defending the values that afford us to exercise our rights and freedoms. If I am confirmed as Commissioner, I will continue to deepen this crucial work to protect our democracy and uphold our values, in close cooperation with the Executive Vice-President for Tech Sovereignty, Security and Democracy, other responsible Commissioners, and the other EU Institutions.

I see the Rule of Law Report as one of the most important parts of our rule of law toolbox. By systematically and objectively monitoring the situation of the rule of law in all Member States, it contributes to strengthening preparedness of Member States, and the EU as a whole, to address rule of law issues. Its impact has been clearly positive, and the Report and its recommendations have proven increasingly effective in driving concrete reforms in Member States in all areas under its scope. This is also true for enlargement countries that are integrated in the Rule of Law Report process, and that will be included in the future, since it ensures that the reforms undertaken in the run up to accession, are sustained long after. This work can be strengthened and consolidated even further, including through a closer link to EU spending and by enriching the reporting cycle.

If I am confirmed, I will work closely with the Commissioner for Budget, Anti-Fraud and Public Administration to reinforce the link between financial support and the Member State recommendations from the Rule of Law Report and to further support rule of law reforms by ensuring that EU funding can be dedicated to national measures, for example on fighting corruption and protecting the EU's financial interests.

I also fully support the goal set out in the Political Guidelines to strengthening the Single Market dimension of the rule of law report. The rule of law is not theoretical – it has a critical impact on citizens' lives in a democracy. And it has a huge impact on our prosperity too. Effective justice systems, the fight against corruption, and good lawmaking under checks and balances are not only central to the protection of fundamental rights and democracy, but also have direct economic relevance, with a bearing on investment, competitiveness and jobs. So it makes sense to give more emphasis to rule of law issues that affect companies operating in the single market.

The Report has been and will continue to be effective because it is well founded and focused. Covering already an extensive scope and now even further with strengthening the Single Market aspect, any further extension to cover fundamental rights or other Article 2 TEU values would need to be carefully examined. If confirmed, will engage with the European Parliament on how we can engage on fundamental rights in particular as regards the work that we will do on strengthening the application of the Charter (see reply above).

The close cooperation with the European Parliament and its LIBE Committee on protecting and promoting the rule of law, fundamental rights and democracy is fundamental for bringing work further at EU level. If confirmed, I stand ready to explore ways to strengthen our cooperation and build further links between the different strands of work. We could for instance exchange regularly on the various reports and initiatives on EU values. One other idea that has been suggested is a contact group where rule of law developments would be regularly discussed, also with the Council.

If I am confirmed as Commissioner, I will ensure that all the tools we have at our disposal to strengthen and protect the EU values are fully applied in full synergy and coherence.

I am fully committed to the effective implementation and enforcement of EU law, including through infringement proceedings when required. The primacy of EU law and the respect for the judgments of the Court of Justice of the EU are fundamental principles of the EU legal order that we need to uphold in full.

I also support a more effective application of Article 7 TEU and, if confirmed, I would continue to regularly update the Council on the situation in Hungary in the ongoing Article 7(1) TEU procedure, for as long as the concerns underlying the Parliament's reasoned proposal have not been addressed. The Council must ensure a fair handling of the reasoned proposal tabled by the Parliament.

As the President made clear in the Political Guidelines, respect for the rule of law is a must for EU funds. We have already built important tools to ensure this. With the Conditionality Regulation, we have an effective instrument to protect the EU budget against breaches of the principles of the rule of law in the Member States, if the Commission finds out that breaches of the rule of law principles directly affect or seriously risk affecting the sound financial management of the Union budget or of the financial interests of the Union in a sufficiently direct way. The Recovery and Resilience Facility (RRF), together with the horizontal enabling condition under Cohesion Policy, has also provided an important incentive for reforms to address rule of law challenges in a number of Member States, based on the work in the European Semester and also the annual Rule of Law Report. The recovery and resilience plans of some Member States contain 'super milestones', some related to rule of law reforms, that must be fulfilled before funds can flow, to ensure the effective protection of the financial interests of the Union.

Looking ahead, if I am confirmed, I will work closely with the Commissioner for Budget, Anti-Fraud and Public Administration to help ensure the next Multiannual Financial Framework continues to ensure that there are strong safeguards on the rule of law. Such safeguards will build on the continuous application of the general regime of conditionality, and can also draw lessons from NextGenerationEU and the Recovery and Resilience Facility, which has shown how EU funds can promote rule of law reforms in Member States, as well as from the Horizontal Enabling Conditions. Work would seek to build a closer link between the recommendations in the Rule of Law Report and financial support under the EU budget, while continuing to ensure strong synergies and consistency with the work done with Member States under the European Semester.

Protecting and nurturing our democracy will be core priorities for my mandate, if confirmed as Commissioner, as already explained in earlier replies. I would lead the work on a new European Democracy Shield to address the severe risks to democracy in the EU. Building on the European Democracy Action Plan and the Defence of Democracy Package, and working together with my fellow Commissioners under the guidance of the Executive Vice President for Tech Sovereignty, Security and Democracy, I would deepen the work to counter foreign information manipulation and interference and disinformation, to safeguard the fairness and integrity of elections and strengthen democratic checks and balances, to support building further our societal resilience and preparedness, and to put citizens at the heart of our democracy. We can improve our situational awareness and bolster our collective ability to detect, analyse and proactively counter threats. This will entail better coordination and stepping up efforts on prevention and on equipping citizens with key skills to navigate the information space, such as media and digital literacy. We should also seek to further strengthen cooperation through bodies such as the European Cooperation Network on Elections, and support the development of operational and capacity-building tools to preserve the fairness and protect the integrity of elections, such as through an EU repository of election-related best-practices and to develop measures to support the safety of political candidates and elected representatives.

Journalists, independent media, and human rights defenders play an essential role in our democracies, contributing to the protection of fundamental rights and acting as watchdogs against breaches of the rule of law. Their safety and protection will be a key aim for my work, if I am confirmed as Commissioner. To this end, I would pay close attention to the Member States' uptake of the 2021 Recommendation on the safety of journalists and the 2022 Recommendation on protecting journalists and human rights defenders against SLAPPs, taking further steps as

needed. I would work under the guidance of the Executive-Vice President for Tech Sovereignty, Security and Democracy to facilitate the swift and correct implementation of the European Media Freedom Act. Ensuring that the European Board for Media Services is fully up and running would be an early priority, with close attention to the rules on public broadcasters, protection of journalists and media editorial independence, including guidelines to put in place safeguards against arbitrary removal of online content published by reputable media companies.

When it comes to further possible legislation against SLAPP, my first ambition would be to ensure the swift and diligent implementation of the existing tools, which combine strong legislative safeguards to protect journalists and human rights defenders against SLAPP in cross-border civil proceedings with soft-law elements under the related Commission Recommendation, which apply to all types of proceedings. Close monitoring on the implementation of these instruments is taking place and will continue. This should feed into reflections on what further steps could be taken at EU level to protect journalists and rights defenders, working in close cooperation with the EU network of focal points on SLAPP established by Member States.

The European Media Freedom Act has been an important step in addressing the use of intrusive surveillance tools. It includes a general prohibition of intrusive surveillance software in devices used by media service providers, including journalists, with narrowly defined exceptions and subject to strict substantive and procedural conditions. If I am confirmed, I will ensure that the application of this provision is carefully monitored. As the Commission informed the European Parliament in its answers to the dedicated resolutions, a non-legislative proposal on the use of intrusive surveillance software by national authorities in the EU will be consulted with Member States, looking at the issue in particular from a data protection perspective.

11. Criminal justice

What will be your core priorities in the area of criminal justice? How you will ensure the full implementation of the legislative instruments adopted in the previous term, including the e-evidence package, and what will be your role in ensuring consistency of instruments of criminal substantive law? How will you ensure that criminal justice keeps up with the development of digital technologies, including AI, both when it comes to the use of new technologies for a more efficient criminal justice system, but also when there is a need to criminalise very serious breaches (e.g. of data protection rules) that occurred by using technology?

What measures can be taken in order to improve even further the judicial cooperation between Member States, with the support of Eurojust, and to make the criminal justice system more efficient in combatting crime? One of your missions will be to strengthen the European Arrest Warrant; would you do so by proposing a new legislative instrument or rather by focusing on a better application of the current legal framework?

What concrete steps are you planning to take to reinforce the EU anti-corruption approach and strengthen the coordination and synergies between the different EU bodies competent on anti-corruption and the Member States? Will you propose concrete legislation in this area? How do you intend to support EPPO, which is facing a number of practical challenges, notably staffing and budgetary constraints, which threaten its effectiveness? Will you commit to propose a revision of the EPPO Regulation, including the extension of its competences and, if so, to which crimes?

If I am confirmed, one of my core priorities will be to ensure the use of criminal law at EU level to effectively protect our citizens, as well as safeguarding the EU's values and financial interests. I would like to explore gathering reflections from the European Parliament, Member States, national authorities and civil society on how to further use EU criminal law to effectively fight crime. In this context, I will be ready to contribute and support the Commissioner for Internal Affairs and Migration with the preparation of a European Internal Security Strategy. Facilitating agreement between co-legislators on important pending proposals such as on the Victims' Rights Directive and the Directive on combatting corruption, while maintaining a high level of ambition, will be key priorities.

If confirmed, I will also focus on the effective and consistent implementation of the existing instruments, including through improved guidance and dialogue where helpful, and infringements when necessary. This would form part of my annual reporting on implementation progress and issues. I would like to develop further practical steps to assist Member States with implementation, such as the decentralised IT-platform now under way to allow secure and reliable communication between judicial authorities and/or service providers. As regards addressing very serious breaches of data protection rules by using technology, both the GDPR and the Law Enforcement Directive require Member States to provide for effective, proportionate and dissuasive penalties for infringements of the respective rules. I would make sure Member States comply with this obligation.

Improving judicial cooperation, also with the support of Eurojust, and making criminal justice systems more efficient in combatting crimes would be two further key priorities. Secure communication channels should be established between national authorities and Eurojust, and I will look carefully at the results of the ongoing evaluation to see if changes to the Eurojust Regulation would help to exploit its potential. We could also look at extending Eurojust's mandate to store evidence relating to international crimes to other areas of crime, for example, organised crime. I will also reflect on possibly formalising the use of standing Joint Investigation Teams, tested for the International Centre for the Prosecution of Crime of Aggression against Ukraine. Lastly, together with the Commissioner for Internal Affairs and Migration, I will explore how best to ensure that Eurojust and Europol maximise the potential of working closely together. A

The European Arrest Warrant (EAW) is one of the EU's most successful criminal justice tools but it is important to maintain this record in changing circumstances. As the Court of Justice has so far delivered more than 85 judgments on the EAW, it has become complex for practitioners to stay up to date. The interaction between the EAW and other Framework Decisions, such as on the recognition of judgments imposing custodial sentences and the enforcement of those sentences in other Member States, also poses challenges. I would reflect on ways to enhance the effectiveness of the EAW further.

Digitalisation and the use of AI technology is important also for gaining efficiency in the criminal justice sector, streamlining and facilitating processes including for judicial cooperation. The use of digital technologies has the potential to ease the load for judges resulting from auxiliary activities, allowing them more time to focus on core business. Implementing the Digitalisation Package in the next years will be an important step. As part of a future strategy on the use of digital technologies in justice, I would explore how to support Member States in the use of AI and other IT tools in the justice area.

As regards judicial cooperation, this area has developed strongly in recent years, and we need to continue this work. In addition, there are challenges that the EU criminal justice system faces which would require going beyond the Union borders. If confirmed, I will thus continue reinforcing closer cooperation with third countries to facilitate judicial cooperation in the fight against serious crimes, including trafficking in human being, people smuggling and drugs trafficking.

Corruption damages both the effectiveness of public policy and the confidence of citizens in the state and public institutions. The Political Guidelines pointed in particular to how the EU and national authorities should work together in response. If confirmed, completing negotiations on the anti-corruption Directive would be the first key step in this area. I will develop the first EU anti-corruption strategy, to be prepared on a foundation of consensus and broad consultation, in particular with the European Parliament and Member States. The work of the EU Network against corruption set up by the Commission in 2023 can provide an important basis. This would offer a clear EU approach to anti-corruption work and strengthened cooperation between the EU level and Member States, and between Member States, would clearly be a key element.

More generally, if confirmed I will explore together with the Commissioner for Budget, Anti-Fraud and Public Administration further avenues to dedicate EU funding to measures on fighting corruption, in particular as regards the prevention of corruption.

As regards the EPPO, in line with the Political Guidelines and my mission letter, if confirmed I will launch reflections on whether the EPPO needs new powers to look at aspects of cross-border serious crime. To this effect, I will work to accelerate the ongoing evaluation of the EPPO Regulation. The budgetary authority has substantially reinforced the staff and budget of the EPPO in the last few years. I will put my efforts into ensuring that the Commission continues supporting the EPPO, to allow it to successfully achieve its important mission, and for that I will be working closely with the Commissioner for Budget, Anti-Fraud and Public Administration.

Question from the Committee on Budgets

12. In your mission letter, the President tasks you with building a closer link between the recommendations in the Rule of Law report and financial support under the EU budget. She also calls for the future long-term budget to have strong safeguards on the rule of law.

In this context, as your task will be to ensure that respect of the Rule of Law continues to be a must for EU funds, which concrete measures do you envisage to take to ensure that recommendations of the Rule of Law report with an impact on the EU budget are followed up in a stringent and timely manner and what working arrangements

will you put in place to cooperate with the Commissioner for Budget, Anti-Fraud and Administration and will you share with the Parliament the ongoing assessments for enabling conditions for Cohesion policy?

Respect for the rule of law is – and will continue to be – a must for EU funds. The Conditionality Regulation and the Horizontal Enabling Condition relating to the Charter have been a very positive development of the current multiannual financial framework. I set out in the answer to question 10 how we must develop this work further, following the approach in the Political Guidelines.

If confirmed as Commissioner, I will work closely with the Commissioner for Budget, Anti-Fraud and Public Administration to help ensure that the next multiannual financial framework continues to include strong safeguards on the rule of law. Such safeguards will build on the continuous application of the general regime of conditionality, applying to all funds, as set out in the Political Guidelines and drawing the lessons from its use so far.

We have built a comprehensive toolbox and though each of these instruments has its own rules and rationale, they need to work well together. Ensuring coherence between these instruments and related actions will be an important consideration, and I will work together with my fellow Commissioners to explore any potential to streamline their application to be more effective. The Rule of Law Report and its recommendations are an important source for monitoring rule of law issues in the Member States, and central for the assessments conducted under the Conditionality Regulation. However, cases falling under the remit of the Conditionality Regulation, including when they originate from the Rule of Law Report, require an evidence-based assessment of the link with the EU budget, in line with the legal requirements and as confirmed by the Court of Justice.

As regards ongoing assessments for enabling conditions for Cohesion policy, the Commission has and will continue to assess closely the fulfilment of the necessary requirements before making decisions. In this respect, it needs to protect the space needed for its internal decision-making process. The Commission is also mindful of its duty of sincere cooperation with the Member State concerned, given that the monitoring of the fulfilment of the horizontal enabling conditions is based on a constant dialogue and engagement between the Commission and the Member State concerned and in view of the political sensitivities of discussions around the EU budget. Within this framework, I will, if confirmed, be ready to work with you to ensure the best possible direct information flow.

Question from the Committee on Budgetary Control

13. In your mission letter, the President tasks you to develop an EU approach to anti-corruption and to work with the Commissioner for Budget, Anti-Fraud and Public Administration to ensure that EU funding can be dedicated to national measures fighting corruption.

Could you elaborate on how you will cooperate with the Budget Commissioner on the concrete measures you envisage to take and could you also explain why Member States would need more money from the EU to fight corruption? Would it not be preferable to better equip the EPPO and to support Member States in other ways?

How will you incorporate the protection of the Single Market into the Union's Rule of Law framework? Which changes will the Commission implement to expedite infringement procedures against Member States for failing to protect the Single Market?

Our objective is and must continue to be to reduce all forms of corruption, at every level, in all EU countries and institutions and even outside the EU.

If I am confirmed as Commissioner, together with the Commissioner for Budget, Anti-Fraud and Public Administration, I will explore further avenues to dedicate EU funding to national measures for fighting corruption and protecting the EU's financial interests. I see this as a good example of where the Commission and Member States can work closely together on a concern of great relevance to both: with the Commission helping to provide advice, to bring together good practice, and to offer funding to support with preventive measures and help deploy technical assistance. This also involves learning from the experience with the Recovery and Resilience Facility (RRF) and the application of the horizontal enabling condition under Cohesion Policy, which have provided important incentives for reforms and investments to address rule of law challenges, including the fight against corruption. This will be part of the broader work at EU level to strengthen our approach to the rule of law and anti-corruption and complementary to building a closer link between the financial support Rule of Law Report's recommendations. In parallel, the Commission will also continue to support the EPPO to perform its important mission.

As set out in my answer to question 10, the Political Guidelines set out how the rule of law report would be further developed. Respect for the rule of law, in particular independent, quality and efficient justice systems, legal

certainty and equality before the law, the fight against corruption and good law making – all part of the assessments under the Rule of Law Report in each Member State – are key determinants of a business environment that fosters investment, growth, jobs and innovation, and therefore have a bearing on the well-functioning of the single market. Should I be confirmed, I will continue to consolidate and deepen the analysis under the Report, ensuring that the single market dimension is strengthened to look at rule of law issues affecting companies, especially SMEs, operating across borders.

I support the use of all the tools at the Commission's disposal to address challenges to the single market and the rule of law in all Member States. This includes the use of infringement proceedings in cases of violation of the single market rules, for example as a result of undue state interventions or abusive administrative practices to the detriment of companies originating from other Member States. Beyond the enforcement action of the Commission, companies can directly go to national courts to protect their interests. Also, if these companies suffered damages caused by breaches of EU law, they may seek compensation before the national courts, in line with the principle of state liability. These national courts, if an interpretation of EU law is needed, may, and for courts of last resort shall, make preliminary references to the Court of Justice of the European Union under the preliminary reference procedure of Article 267 TFEU. I will support the Executive Vice president for prosperity and industrial strategy in his important work to deepen and consolidate the Single Market.

Question from the Committee on Culture and Education

14. Media freedom and pluralism are a vital part of democracy. However, it is important to recall that, given its legal basis, the European Media Freedom Act (EMFA) aims above all to establish a well-functioning internal market for media services and that it is strongly linked to the Audiovisual Media Services Directive (AVMSD). Furthermore, it addresses the content of media service providers on very large online platforms and includes several provisions linked to the assessment of media market concentrations, the transparent and fair allocation of economic resources, editorial independence, the independent functioning of public service media and the protection of journalists. Therefore, how will you ensure that the implementation of the European Media Freedom Act stays closely connected with the AVMSD, the Digital Services Act and is tackled from a media policy perspective?

The European Media Freedom Act (EMFA) is an integral part of EU media policy, building on the long-standing framework set out by the Audiovisual Media Services Directive (AVMSD). These two instruments are closely linked and complementary.

Together, EMFA and the AVMSD provide for a comprehensive set of rules, which foster the internal media market and allow media companies to operate freely across borders and consumers to have access to diverse media content. EMFA takes account of the unique place of the media sector in our democracies and culture. It supplements the rules regulating online platforms under the Digital Services Act, by strengthening the position of reputable media vis-à-vis content moderation practices on very large online platforms. A cornerstone of EMFA is the new European Board for Media Services, which upgrades ERGA (the current network of media regulators under AVMSD) and will make the cooperation among regulators more efficient.

If I am confirmed, I will work, together with the Executive Vice-President on Tech Sovereignty, Security and Democracy, to ensure the swift and correct implementation of EMFA. In this context, the setting-up of the new Board for Media Services and its secretariat will be our immediate priority. The Board will continue ERGA's work to ensure the coherent implementation of AVMSD in areas such as prominence of general interest content, which is crucial for media sustainability. Similarly, we will ensure that EMFA rules on findability of media content on connected television and audience measurement are swiftly implemented.

We will ensure that the implementation is well on track ahead of the August 2025 application deadline. More generally, implementation of these instruments will be a major priority. Early in the new mandate, we will also work on the preparation of the guidelines on Article 18 of EMFA which puts in place safeguards for reputable media content with a view to preventing arbitrary removal by very large online platforms and better protecting the availability of legitimate editorial content online.

If I am confirmed, I would also ensure that the analysis in the Rule of Law report continues to cover in full areas under EMFA such as media market concentrations, state advertising and protection and safety of journalists, affect the functioning of the internal media market.

Question from the Committee on Constitutional Affairs

15. How do you envisage your role with regard to the Commission's draft proposal to amend Regulation 1141/2014 on the statute and funding of European political parties and European political foundations, which is currently on the table? How do you defend the Commission's choice for the recast format for the above proposal vis-a-vis Parliament's legislative prerogatives and which specific actions would you take as a matter of priority in order to assist the co-legislators to overcome the current deadlock in the negotiations, especially regarding the involvement of third country member parties? How can we use the recast to enable European Political Parties to facilitate the political integration of political parties from enlargement countries? What safeguards and guidelines do you believe should be in place to ensure the integrity and transparency of the process?

Beyond the involvement of the political parties, how will you strengthen the tools for citizens' participation in EU decision-making?

EU accession to the European Convention on Human Rights (ECHR) is a legal obligation under Article 6(2) of the Treaty of Lisbon, how would you ensure the accession process in the future? Are there any venues considered by the Commission to stimulate the implementation of ECHR judgements by the EU Member States?

Could you outline your vision to avoid frauds and improve funding transparency on interest representatives - especially with regards to foreign interference?

If I am confirmed, I will do my utmost to support the process of reaching an agreement on the proposal to amend Regulation 1141/2014 on the statute and funding of European political parties and European political foundations. As indicated in my mission letter, I will work to rebuild the bridge between Parliament and Council, recognising precious expertise of the Parliament in the actual functioning of European political parties and foundations, while listening to the valid concerns of the Council in terms of security. My services would support the co-legislators to make best use of our experience in the European Parliamentary elections this year, including as will be set out in the Commission's report on the elections, as well as geopolitical developments and the work of the renewed Commission to help develop approaches to finding a way forward. In this context, I welcome the European Parliament decision to continue working on the file and the steps informally undertaken by Parliament towards the Presidencies of the Council of the EU aimed at exploring the possibilities of relaunching the negotiation process and reaching an agreement.

The question of the use of the recast procedure is a very technical one, which is less a matter for political consideration than of efficient legislative procedures. According to the Interinstitutional Agreement on a more structured use of the recasting technique for legal acts, recast is the legal technique to be used when replacing an earlier act, which was previously amended, in order to consolidate and simplify the text. This is precisely the case with the latest revision of Regulation 1141/2014: following the two previous revisions (in 2018 and 2019) and given the necessity to update language, obsolete references and provisions, it was necessary to not only make certain targeted modifications of substance but also to recast the Regulation.

The evaluation reports that both Parliament and Commission drafted in application of the Regulation's revision clause reached very similar conclusions and, therefore, the proposals put forward by the Commission were very much aligned with the Parliament's requests.

Reaching an agreement would help equip European political parties and foundations with the best tools to foster political integration of political parties from enlargement countries in the most transparent way, to support the integrity and transparency of the process, especially in enlargement countries. European political parties are the hubs where a true European political culture can flourish, and I consider them the best place where to initiate and carry out the enlargement process. The governance of European political parties and foundations is the guarantee that this process will be carried out in the most legitimate way.

I am looking forward to starting work immediately if confirmed with all parties involved and to listen to the Parliament's views on how to create the right synergies, revamp the negotiation process and bring it to a successful conclusion.

The President has emphasised citizens' participation as central to our democracy. If confirmed, I will help to instil a culture of participatory and deliberative democracy, complementing and reinforcing representative democracy. Citizens' democratic engagement is essential to our democracies and must be supported, also to reach a broader audience. This requires further mainstreaming citizens' engagement in Commission policy-making process, building on the stakeholder engagement at the heart of our better regulation system. We can do more to enhance the visibility and buy-in of its citizens' engagement toolbox: with public online consultations and feedback opportunities ('Have Your say – public consultations and feedback' platform), European Citizens' Initiative, and

the new generation of the European Citizens' Panels targeted on defined policy areas. I will of course also join my fellow Commissioners and organise my first Youth Policy Dialogue within the first 100 days of the mandate, and repeat this annually.

The Recommendation on promoting the engagement and effective participation of citizens and civil society organisations in public policy-making processes, which was adopted as part of the Defence of Democracy Package last year, builds on the experience of the Conference on the Future of Europe. It supports best practices on participation of citizens and encourages Member States to provide more opportunities for citizens to effectively participate in public policy-making processes. We should follow up on this Recommendation with Member States through the sharing of experiences and best practices among Member States, while also working with representatives from regional or local authorities, Civil Society Organisations and umbrella organisations at European and Member State level. I will also support efforts to foster the European dimension in citizenship education.

I set out in detail my thoughts on the European Convention on Human Rights in question 9. I am fully committed to encouraging compliance with the obligations stemming from the Convention. When it comes to matters governed by EU law, the Commission has a broad set of tools at its disposal to monitor, encourage, and enforce Member States' respect for fundamental rights. At the same time, it is important to recognise that the broader responsibility for ensuring compliance with European Court of Human Rights judgments lies with the Committee of Ministers of the Council of Europe.

If confirmed I will actively support the co-legislators in advancing on the proposed Directive on interest representation carried out on behalf of third countries. It is essential to introduce common transparency and accountability standards in the internal market, equipping the EU with the transparency tools that will enable our Union to defend democracy, remain an open society and protect fundamental rights, in particular freedom of expression and access to information. As well as the value of transparency itself, this would enhance trust in our democratic institutions and would improve the knowledge of the magnitude, trends and actors behind interest representation activities carried out on behalf of third countries.

If confirmed, I will also oversee the work to preserve the fairness and integrity of elections more generally, and follow-up on the Recommendation on inclusive and resilient elections, which addressed the question of third-country funding for political parties and on the findings of the upcoming Commission's Report on the 2024 European Parliamentary elections.

Question from the Committee on Women's Rights and Gender Equality

16. In the new Commission, the equality portfolio was separated from the area of justice, democracy and fundamental rights. However, the relevance of equality to justice remains, especially in terms of legislative proposals made during the last Commission, for example related to violence against women and domestic violence, or victim's rights. How will you prioritize the equality files to ensure cohesion with the new Equality Commissioner, while continuing to monitor the transposition of these files and new developments in their respective policy areas? Do you commit to issuing a proposal to introduce gender-based violence in the list of EU crimes listed in Article 83(1) TFEU?

Equality, justice, fundamental rights, rule of law and democracy are closely linked as part of a broader endeavour to uphold EU values. In the outgoing Commission, my predecessor, Commissioner Reynders, was in charge of the justice portfolio, while Commissioner Dalli was in charge of the equality portfolio. In the new Commission, it will work in the same way: if I am confirmed as Commissioner, I will ensure that an equality perspective is included in all the policies for which I will be responsible, working closely with the Commissioner for Equality.

For instance, I will actively promote inclusiveness in democracy. I will build in particular on the post-elections report, which will review the participation of different groups in elections, including women, minorities, and marginalised groups. This will also be part of the European Democracy Shield, which will address the most severe risks to democracy in the EU paying attention to the groups most at risk. Many of the measures I would take forward have to take the equality dimension specifically into account, such as on the safety of political candidates and elected representatives. In the area of criminal law, I will work towards advancing the update of the Victims' Rights Directive. This will reinforce the protections provided under the Directive on combating violence against women and domestic violence. I will also examine how to mainstream equality in other areas, such as consumer policy, where for instance consumption patterns have a gender dimension. If I am confirmed as Commissioner, I will work closely with the Council and the European Parliament to help to ensure that the Council Decision to

include hate speech and hate crime in the list of EU crimes is adopted. On that basis, the EU could then enact further legislation and thereby guarantee a consistent protection of all victims of such criminal acts across the EU.

As regards a possible proposal to introduce gender-based violence as a new EU crime under Article 83(1) TFEU, the existing Eurocrime of sexual exploitation of women and girls offers sufficient legal basis to criminalise rape based on a lack of consent. Further enhancing the list of EU crimes would require unanimity in the Council, as with the proposal for hate speech and hate crime.