

# Migration: Fundamental rights challenges at borders

FRA's report '[Migration: Fundamental rights issues at land borders](#)' first describes the applicable EU law governing border controls. It then clarifies how EU countries' duty to protect their borders can affect fundamental rights.

It reviews different aspects of border management, such as border surveillance, preventing irregular border crossings, and checks at border crossing points. It also illustrates the impact. This ranges from people dying at borders to allegations of pushbacks or the use of excessive force.

To ensure full respect for fundamental rights at the EU external borders, FRA suggests:

- enhancing the fundamental rights component of existing oversight mechanisms, such as the Schengen evaluation and monitoring mechanism;
- supporting border guards in their daily work through practical guidance, tools and training;
- fully embracing a victim-focused approach, and mainstreaming child and gender aspects, when combating organised crime at external land borders;
- increasing the transparency and effectiveness of investigations into pushbacks and ill-treatment allegations at external land borders;
- establishing independent and effective fundamental rights monitoring mechanisms at borders.

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## Payment Service Directive 2, Increased Security for Online Payments

December 08, 2020 [General](#)

Payment Service Directive 2, Increased Security for Online Payments



New security requirements for online payments will come into effect in the European Economic Area in January 2021 as consequence of the second Payment Services Directive ([PSD2](#)).

In line with this directive, from January 2021, all online payments by credit card to EUIPO will have an additional layer of security involving strong customer authentication (SCA). Customers will be asked to confirm payments by entering a secret number received by SMS or a code generated by a smartphone app or with a biometric identifier like a fingerprint or facial recognition. These customers will be informed about the elements needed to confirm the payment by their financial institution (personal telephone number, smartphone app, etc.).

The EUIPO welcomes this new layer of security in online payments which aims to protect the rights of consumers and to limit liability in the event of fraudulent use of cards.

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**[Press release – InvestEU Fund agreed: Boosting strategic, sustainable and innovative investments](#)**



InvestEU will foster strategic, sustainable and innovative investments and address market failures, sub-optimal investments and the investment gap in targeted sectors, for the period 2021-27.

#### **Support for companies and strategic investments**

Recognising that many companies are at risk of insolvency due to the COVID-19 crisis, EP negotiators from the Budgetary and Economic and Monetary Affairs committees insisted that capital support be provided to SMEs that have been negatively affected by the crisis.

They were also able to ensure that strategic investments will be made in manufacturing of pharmaceuticals, medical devices and supplies – crucial in the midst of a pandemic – as well as the production of Information and Communication Technology, components and devices in the EU. InvestEU will therefore be able to build on the support provided by its predecessor, the European Fund for Strategic Investments, for the BioNTech and Curevac coronavirus vaccines.

#### **Support for sustainable investments**

Negotiators agreed that InvestEU support should finance sustainable projects that can prove their positive environmental, climate and social impact. Investment projects should also be subject to the principle of “do no significant harm”, meaning they must not negatively affect the EU’s environmental and social objectives .

Additionally, MEPs made sure that InvestEU contributes to achieving the target of spending at least 30% of the EU funds on climate objectives until 2027.

#### **Additional investments of around €400 billion**

The EU guarantee of around €26 billion (current prices) is expected to mobilise €400 billion in additional investment across the European Union and

will be allotted to the following policy objectives:

1. Sustainable infrastructure: 37,8% (around €9,9 billion);
2. Research, Innovation and Digitalisation: 25,1% (around € 6,6 billion);
3. SMEs: 26,4% (around € 6,9 billion)
4. Social investment and Skills: 10,6% (around € 2,8 billion).

Moreover, the European investment Fund (EIF), which will contribute to the implementation of the InvestEU programme, will get an additional €375 million.

### Quotes

[José Manuel Fernandes](#) (EPP, PT), lead MEP from the Budgets Committee said: “InvestEU will generate more investment, create better jobs, enhance competitiveness and productivity, while promoting territorial cohesion and inclusion. We have managed to provide solvency support to SMEs and will help save companies negatively affected by the pandemic crisis”.

[Irene Tinagli](#) (S&D, IT) leading the negotiations on behalf of the Economic and Monetary Affairs Committee said: “The economic recovery needs not only public but also private investment, and InvestEU will be able to mobilize about €400 billion on key projects for the EU. I am particularly proud of the fact that we have managed to include investments in social infrastructure, to dedicate a significant share to SMEs, and included the option of providing capital support for the firms most affected by COVID-19. All this, while keeping the EU’s environmental targets high”.

### Next steps

The agreement reached by the EP negotiating team will now have to be approved first by the Economic and Monetary Affairs and the Budgets committees, followed by a plenary vote. The Council also has to approve the deal.

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## [The EUIPO signs a collaboration agreement with 4iP Council](#)

December 08, 2020 [General](#)

The EUIPO signs a collaboration agreement with 4iP Council



The recent collaboration agreement between [4iP Council](#) and the EUIPO enables both organisations to join forces in pursuit of a common goal: to empower SMEs and promote the benefits of intellectual property (IP) protection.

4iP Council, a non-profit organisation with the aim to deliver academic insight and empirical research on topics related to IP, recognises the gap between entrepreneurship and the invention process and the decisions underpinning European policy, job creation and growth. One of 4iP Council's principal areas of activity is to give guidance to innovators and investors to improve their understanding of intellectual property.

As part of [EUIPO's Strategic Plan](#), the SME Programme, under the 'Ideas Powered for business' brand aims to support and empower SMEs on their business journey. The recently launched ['Ideas Powered for business'](#) hub offers made-to-measure information for SMEs, as well as the possibility to [sign up for free personalised legal advice](#) on their intellectual property questions.

Both organisations aim to unite their efforts and create synergies in the benefit of SMEs. This agreement covers activities such as generating educational content and promoting joint webinars on intellectual property among SMEs, as well as sharing information on IP on the respective websites.

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**[Call for expression of interest:  
Alternate Chairperson of the Board of](#)**

# Appeal of the CPVO

A Call for expression of interest in the appointment as Alternate Chairperson of the Board of Appeal of the Community Plant Variety Office was published in the Official Journal of the European Union, CA424, on 8 December 2020, where the notice is available in all EU languages and can be downloaded in PDF: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:C:2020:424A:TOC>

The closing date for registration is 19 January 2021, 12:00 noon CET.

## Vacancy for the role of **Alternate Chairperson of CPVO's Board of Appeal**



### CONTEXT

Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights establishes the Community Plant Variety Office and provides for the establishment of one or more Boards of Appeal within the Office. A Board of Appeal is also established by the Commission Regulation (EC) No 874/2009 and is responsible for deciding on appeals against decisions of the Office, concerning, inter alia, the grant or refusal of Community plant variety rights, objections to the grant of rights, the nullity or the cancellation of Community plant variety rights or the grant or refusal of compulsory licences.

The Board of Appeal consist of a Chairperson, two other members, and their respective alternates. Where the Board of Appeal considers that the nature of the appeal so requires, it may call up to two further members.

### DESCRIPTION OF THE FUNCTIONS

The CPVO is looking for an Alternate Chairperson of the Board of Appeal of the Office. In the absence of the Chairperson, his / her alternate shall

perform the tasks of the Chairperson.

In those situations, the Alternate Chairperson shall:

- select for each case the other members of the Board of Appeal and their respective alternates from a list of qualified members established by the Administrative Council of the Office,
- head the Board of Appeal of the Office and exercise the powers vested in the Chairperson by Regulation (EC) No 2100/94.

The Alternate Chairperson of the Board of Appeal shall be independent. In making his / her decision, he / she shall not be bound by any instructions.

More information on the Board of Appeal can be found at:

<http://cpvo.europa.eu/main/en/home/community-plant-variety-rights/board-of-appeal>

### APPOINTMENT

The current term of office of the Alternate Chairperson of the Board of Appeal runs until 14 October 2021. Under the terms of Regulation (EC) No 2100/94, the Council of the European Union decides on the appointment of an Alternate of the Chairperson on the basis of a list of candidates, which shall be proposed by the European Commission after obtaining the opinion of the Administrative Council of the Community Plant Variety Office.

The purpose of this call for expression of interest is to allow the Commission to draw up a shortlist of candidates for the function of Alternate Chairperson of the Board of Appeal, which it will submit to the Council. Candidates should note that inclusion on the list does not guarantee appointment.

The European Commission will set up a selection panel which will invite applicants with the best profile for the specific requirements of the post to an interview, selected on the basis of their merits and the criteria set out below. Following these interviews, the European Commission will adopt a list of candidates, which will be submitted to the Administrative Council of the Office for opinion, before being communicated to the Council. Candidates may be called for an interview with the relevant Commissioner.

The term of office shall be five years. It shall be renewable in accordance with Regulation (EC) No 2100/94.

### REQUIREMENTS

- The candidate must be a national of one of the EU Member States.
- The candidate shall not perform any other duties in the Community Plant Variety Office.
- The candidate must have a very good knowledge of English (3). Knowledge of other official EU languages is an advantage.
- The candidate must also have:
- A university degree in law, or a qualification by recognised experience in the field of intellectual property or plant variety registration

- At least 10 years of post-graduate level work experience (4) of which a significant part relates to intellectual property; plant variety rights would be an advantage.
- Judicial or related experience in the field of intellectual property would be an advantage, as also administrative and management experience, preferably acquired in the public service of a Member State or of an intergovernmental organisation.

#### CONDITIONS OF EMPLOYMENT

In the absence of the Chairperson, the Alternate Chairperson will be expected to be available on a part-time basis, to deal with appeal cases as they arise. The Alternate Chairperson is not required to suspend his / her current professional activities, but any such activities must be compatible with the requirements that members of the Boards of Appeal be independent. The Staff Regulations of Officials and Conditions of Employment of other servants of the European Union (the 'Staff Regulations') do not apply to the Chairperson, Alternate Chairperson and members of the Board of Appeal (Articles 31 and 47 of Regulation (EC) No 2100/94) who are not already employed as servants of the European Union.

The Alternate Chairperson will be required to declare any interests, which may conflict with his / her duty to the Board of Appeal.

The alternate Chairperson will be expected to be available for these duties at least 10 days/calendar year.

By decision of the Administrative Council of the CPVO of 19 September 2019:

1. EU servants in active service within an EU Institution, Agency, Body, Authority who are appointed to act on the CPVO Board of Appeal, are not allowed to be in receipt of remuneration from other EU Institutions, but only reimbursement of mission costs, as per the Staff Regulations. To this end, it is appropriate that the assignment to serve on the CPVO Board of Appeal as Alternate Chairperson is agreed with their EU Institution or Agency.

2. The CPVO may enter into a service level agreement (SLA) or Memorandum of Understanding (MoU) with an EU Institution or an EU Agency to regulate the conditions on costs (including mission costs) for its staff to serve on the CPVO Board of Appeal.

The remuneration of the Alternate Chairperson the Board of Appeal who is not an EU servant is as follows:

- Remuneration per actual day of work (1 day/8 hours): 500 (in EUR),
- Maximum remuneration per one appeal: 7 500 (in EUR).

In addition to the said remuneration, the Alternate Chairperson of the Board of Appeal will be in receipt of:

(a) Travel and living expenses in accordance with the latest Rules regarding the reimbursement of experts coming to CPVO meetings or travelling on behalf of the CPVO to meetings.



(b) One additional day of work for travelling time to and from Angers, provided the oral hearing actually takes place and travelling time spent takes more than an hour. In case of several cases examined by the Board of Appeal over one or several consecutive days, only one additional day for travelling time shall be given.

Hearings of the Board of Appeal are held at the seat of the CPVO in Angers, France, or virtually.

### EQUAL OPPORTUNITIES

The European Commission and CPVO apply a policy of equal opportunities and non-discrimination in accordance with Article 1d of the Staff Regulations (5).

### APPLICATIONS

Before submitting your application, you should carefully check whether you meet all eligibility requirements, particularly concerning the types of diploma, high-level professional experience as well as linguistic capacity required. Failure to meet any of the eligibility requirements means an automatic exclusion from the selection procedure.

If you want to apply, you must register via the Internet on the following website and follow the instructions concerning the various stages of the procedure:

<https://ec.europa.eu/dgs/human-resources/seniormanagementvacancies/>

You must have a valid email address. This will be used to confirm your registration as well as to remain in contact with you during the different stages of the procedure. Therefore, please keep the European Commission informed about any change in your email address.

To complete your application, you need to upload a CV in PDF format and to fill out, online, a letter of motivation (maximum 8 000 characters). Your CV and your letter of motivation may be submitted in any of the official languages of the European Union.

Once you have finished your online registration, you will receive an electronic mail confirming that your application has been registered. If you do not receive a confirmation mail, your application has not been registered!

Please note that it is not possible to monitor the progress of your application online. You will be contacted directly by the European Commission regarding the status of your application.

If you require more information and/or encounter technical problems, please send an email to: HR-MANAGEMENT-ONLINE [at] ec [dot] europa [dot] eu

For functional reasons and to complete the selection procedure as quickly as possible in the interest of the candidates as well as that of the institutions, the selection procedure will be carried out in English.

## CLOSING DATE

**The closing date for registration is 19 January 2021.** Online registration will not be possible after 12.00 noon Brussels time.

It is your responsibility to complete your online registration in time. We strongly advise you not to wait until the last few days before applying, since heavy internet traffic or a fault with your internet connection could lead to the online registration being terminated before you complete it, thereby obliging you to repeat the whole process. Once the deadline for the submission of registrations has passed, you will no longer be able to introduce any data. Late registrations are not accepted.

## IMPORTANT INFORMATION FOR APPLICANTS

Applicants are reminded that the work of the selection committees is confidential. It is forbidden for applicants to make direct or indirect contact with members of these committees, or for anybody to do so, on their behalf. All queries must be addressed to the secretariat of the relevant panel.

## PROTECTION OF PERSONAL DATA

The Commission will ensure that candidates' personal data are processed as required by Regulation (EU) 2018/1725 of the European Parliament and of the Council (7). This applies in particular to the confidentiality and security of such data.

*The vacancy notice in all EU languages and more details can be consulted in the [Official Journal of the European Union, CA424](#), published on 8 December 2020.*