

## Article – Schengen key to recovery: interview with civil liberties committee chair



### **When will the internal borders in the Schengen zone reopen?**

They should reopen as soon as possible, that's my message. But apparently it's not going to happen in full before early July. Our committee has been reminding member states that they are bound by European law, the Schengen borders code. The law says that all restrictions should be time-framed and that the grounds for suspension should be reasonable and proportional.

Now the important thing is that the [European] Commission oversee the restoration of free movement in a phased timeframe. Interior ministers need to coordinate all extensions of restrictions with the Commission. It is obvious that without Schengen there will be no recovery [from the pandemic]. In my view, without Schengen, there would be no European Union.

[Read more on what the EU can do about the reopening of Schengen borders](#)

### **Does the Schengen zone need better coordination and governance?**

There has been a deplorable lack of coordination. Member state governments have not lived up to their obligations, which are binding. They should have communicated before [suspending Schengen] with each other and the Commission

so that the latter could ensure the suspensions are time-limited and not discriminatory to some citizens. In the process of restoring the normal functioning of Schengen, we will ensure that these mistakes become lessons learned.

**If there is a second wave of infections, what should we do differently in Europe? Is closing borders the best way of preventing the spread of the virus?**

Let's face it, the pandemic took us by surprise. Unprecedented measures were taken. It challenged the liberties that we took for granted for many years. Free movement has been suspended and that's damaging. But, precisely because the situation was unprecedented, we have to show some understanding with the errors of governments in their efforts to secure public health, which is their number one priority.

*Watch the full interview, which also delved into Schengen enlargement, migration, asylum and the use of personal data in the fight against Covid-19, on our [Facebook page](#).*

[Find out more on what the EU is doing to fight the coronavirus](#)

[Check out the timeline of EU action against Covid-19](#)

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## [FRA and Frontex to work together on developing fundamental rights monitors](#)



*“It is essential that the EU, its Member States and agencies do their utmost to protect people’s fundamental rights. Fundamental rights monitoring of operations at the land and sea borders can help ensure that rights violations do not occur. The fundamental rights monitors are an important preventive tool and FRA will provide its fundamental rights expertise to help establish them. The vacancy notices should be published as soon as possible so the monitors can be deployed”, said FRA’s director Michael O’Flaherty.*

Under this agreement, the Fundamental Rights Agency will help develop a comprehensive manual for the future Fundamental Rights Monitors.

To guarantee independence, the monitors should work under the overall supervision of the Frontex Fundamental Rights Officer (FRO) and be able to monitor all Frontex activities.

FRA and Frontex have already developed the terms of reference of the future monitors, after thoroughly assessing the qualifications needed for their profile. Frontex should publish the vacancy notices as soon as possible.

For more information, see [Frontex’s website](#).

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## **[Eurojust supports new major crackdown on fraud with pay TV](#)**

The Hague, 10 June 2020



**Authorities in Spain, Denmark, Sweden and Germany have arrested 11 suspects for offering illegal access to over 40 000 streaming services, subscription television channels and films, violating audiovisual copyright on a large scale. During an action day coordinated via Eurojust, 50 servers were taken down in France, Germany, the Netherlands, Belgium, Denmark, Sweden, the Czech Republic, Poland and Spain, through which an estimated 2 million subscribers worldwide could illegally view programmes and films from, for instance, Netflix, Amazon and HBO. In a [similar case last September](#), Eurojust coordinated a major action that led to the takedown of more than 200 servers.**

In addition to the arrests, 15 places were searched and one property, luxury cars and jewellery, cash and crypto-currencies have been seized for a total value of approximately EUR 4.8 million. Another EUR 1.1 million has been frozen in various bank accounts. The estimated proceedings for the suspects amounted to at least EUR 15 million. Europol provided analytical support to the operation and was involved in organising a joint meeting with Eurojust to set up the action day for this operation.

The criminal organisation operated mainly from Spain, using various websites in the EU and third countries to grant customers access to television channels and online providers for prices well below market value, by illegally tapping into the signal of established copyright holders. For this purpose, they used computer servers to access the content of legally operating broadcast enterprises and then illegally redistributed the intercepted content to their customers.

The organised crime group behind the illegal activities started its operations in 2014. The criminal organisation accepted payment via PayPal, bank transfers and cryptocurrencies, with servers for the processing of the transactions in Poland. The Spanish authorities opened investigations last year, originally looking into both the illegal sale of broadcasts of sports events via pay television and money laundering. Later, the investigations were extended to a much wider scope of illegal online access to pay TV services. In Sweden, a parallel criminal investigation has been ongoing since 2017, focusing on services targeting the Swedish market.

✘ To prepare for the operation, Eurojust organised two coordination meetings and a coordination centre, and supported the Spanish authorities with the execution of [European Investigation Orders](#) and requests for Mutual Legal Assistance. The operation on the ground was led by the Investigating Court 6 and the Public Prosecutor's Office in Alicante, together with the Intellectual Property Crime Section of the *Policia Nacional* in Spain.

In Sweden, the investigation was led by the Intellectual Property Crime Unit of the Swedish Prosecution Service, supported by the Swedish police. Additional support was provided by the National Organised Crime Agency, Cyber Crime Section of the National Police of the Czech Republic, the Interregional Specialised Jurisdiction (JIRS) of Lille in France and the Central Cybercrime Bureau (OCLCTIC) of the French Police.

Photos / video © Policia Nacional (ES)

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**[Press release – Protecting workers from biological agents: how to classify SARS-CoV-2](#)**



Several political groups in the Employment and Social Affairs Committee (EMPL) oppose the European Commission's decision to classify SARS-CoV-2, the novel coronavirus that causes COVID-19, as a level-3 hazard, the second most dangerous category of biological agents, arguing that it provides insufficient protection to workers. They tabled an objection to the Commission's decision insisting that SARS-CoV-2 should be classified in the highest risk group 4.

EMPL will vote on the objection on Thursday.

During an [exchange of views on 20 May](#) with the European Commission on the proposal to update the Biological Agents Directive to include SARS-CoV-2, EMPL MEPs stressed that all workers should be protected from SARS-CoV-2 and that classification in a particular risk group should be based on scientific criteria, not on practical considerations.

The European Commission gave its [green light](#), on Wednesday 3 June, to classify SARS-CoV-2 as a category 3 biological agent. Parliament has the right to veto this measure, within one month after the Commission has adopted it.

Classification in **risk group 3** means that the biological agent "can cause severe human disease and present a serious hazard to workers; it may present a risk of spreading to the community, but there is usually effective prophylaxis or treatment available". The SARS and MERS viruses are examples of risk group 3 viruses.

A **risk group 4** biological agent causes severe human disease and is a serious hazard to workers; it may present a high risk of spreading to the community; there is usually no effective prophylaxis or treatment available. Ebola is in risk group 4.

**When:** Thursday 12.00 – 13.00

**Where:** Antall (4Q2)

**Procedure:** Regulatory procedure with scrutiny (RPS) – urgency procedure –

## [Rule 112\(4\)](#)

You can watch the meeting via [EP Live](#).

### Next steps

If the Employment and Social Affairs Committee adopts the objection in its vote on 11 June, the full House will vote during the plenary session taking place on 17-19 June. If EMPL rejects the objection, political groups can table their resolution for plenary.

Follow the Committee on Employment and Social Affairs on [twitter](#)

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## [EIOPA consults on \(re\)insurance value chain and new business models arising from digitalisation](#)

Today, the European Insurance and Occupational Pension Authority (EIOPA) launched a public consultation on a '[Discussion paper on \(re\)insurance value chain and new business models arising from digitalisation](#)'.

Technology continues to evolve, bringing new opportunities, social change and new expectations for consumers. In response, insurance undertakings and intermediaries continue to develop and revise their business models, often in increased co-operation with third parties (e.g. BigTech companies and start-ups), bringing both beneficial innovation and a new set of emerging risks that have to be taken into account.

These changes in firms' reliance on outsourcing and third parties bring potential benefits and opportunities. They are expected to transform the way products and services are provided with benefits for consumers (in terms of products and services that are better targeted to consumers' needs, of a better quality or that are more cost-effective) and insurance undertakings (for instance in terms of more efficient processes and decision-making or better fraud detection and management of risks).

However, it may also create new conduct and prudential risks and amplify or relocate significantly old risks (e.g. operational risk, Information and Communication Technology risks, security, governance, and reputational risks, consumer protection). It can also lead to legal and compliance issues (e.g. data protection and compliance with outsourcing rules and regulatory perimeter issues). The widespread use of third party providers can also lead to concentration risk if a large number of undertakings become dependent on a small number of dominant outsourced or third party service providers.

In this context, a possible fragmentation of the insurance value chain could occur, including, most pertinently, a potential for a reduced regulatory and supervisory 'grip' on the relevant activities in the value chain, or ways in which the 'lengthening' of the value chain 'stresses' existing regulatory and supervisory oversight.

The goal of the public consultation is therefore to get a better picture on possible fragmentation of the European Union's insurance value chain and supervisory challenges related to that in order to plan for next steps.

The deadline for submission of feedback in [EU Survey Tool](#) is **7 September 2020**.

EIOPA will work further on this together with national competent authorities on supervisory responses to further support supervisors and supervisory convergence while maintaining a strong and open dialogue with the market and other stakeholders.

[Submit your feedback](#)