

Justice, Liberty and Security in the EU:

The EU legislative agenda 2005 - 2009

Background

The creation of a European Area of Freedom, Justice and Security was introduced as a fundamental goal of the European Union with the treaty of Amsterdam in 1999.

Today also the draft constitutional Treaty for the European Union that is currently under ratification in EU Member States recognises this goal.

The EU's Justice and Home Affairs Goals

While the format has changed, the aims remain fundamentally unchanged.

The EU shall be developed into a common area of Freedom, Security and Justice, where:

- Citizens can move freely within an area without borders
- While compensatory measures relating to the fight against crime,

1999-2004 Tampere Agenda

Already with the Conclusions from Tampere in 1999 the EU had agreed on a number of concrete measures to accomplish these goals until 2004.

After an evaluation of the results achieved by the European Commission in June 2004 Member States agreed on a new programme for the period until 2009 at the Council meeting in the Hague. The 'Hague Programme for the establishment of a common area of freedom, security and justice' will shape the EU's activities in this area for the next years to come.

Goals of the Hague Programme

The Hague Programme aims to improve the joint capabilities of the EU Member States to guarantee the fundamental freedoms of their citizens.

It identifies the following priorities:

- Minimum Standards for procedural rights and access to justice
- Efficient control of the EU's external borders
- Fight cross border organised crime
- Counter the threat of terrorism

Main instruments

The two main instruments to achieve these goals will be:

- the improvement of operational law enforcement cooperation
- the approximation of civil and criminal law in certain areas, including the mutual recognition of judgements in the European Union.

Action Plan on implementation

Already for 2005 the Hague Programme calls upon the Commission to establish a concrete action plan for its implementation. The purpose of this action plan is to provide detailed measures and to assure coordination between them.

While the Hague Programme calls for measures in order to strengthen Freedom, as well as Justice and Security, the action plan will also specify a number of measures which will influence policing in the European

Planned measures related to policing

- The creation of a common asylum system
- Joint management of the EU's external borders including financial burden sharing and joint special units
- More efficient control of implementation measures
- Biometric identifiers in passports, visa etc.
- Linking of EU databases (VIS, SIS II, Eurodac)
- Improved information exchange on the basis of availability
- Improved cooperation of Member States with Europol
- Organised crime situation reports from Europol
- Development of common curricula for police training by CEPOL
- Common Standards for criminal statistics, assuring comparability
- Mutual recognition of judicial decisions in criminal law