Basic information

2006/2111(INI) INI - Own-initiative procedure	Procedure completed
Area of freedom, security and justice: strategy for the external dimension, action plan implementing the Hague Programme **Subject** 7 Area of freedom, security and justice 7.30.20 Action to combat terrorism 7.30.30 Action to combat crime 7.30.30.04 Action to combat drugs and drug-trafficking	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	KLICH Bogdan (PPE-DE)	22/02/2006

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs (Associated committee)	SAKALAS Aloyzas (PSE)	03/05/2006

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	2752	2006-10-05
Justice and Home Affairs (JHA)	2746	2006-07-24
Justice and Home Affairs (JHA)	2768	2006-12-04

European Commission

Commission DG	Commissioner
Justice and Consumers	FRATTINI Franco

Key events

Date	Event	Reference	Summary
12/10/2005	Non-legislative basic document published	COM(2005)0491	Summary
18/05/2006	Committee referral announced in Parliament		
18/05/2006	Referral to associated committees announced in Parliament		
24/07/2006	Debate in Council		

05/10/2006	Debate in Council		
04/12/2006	Resolution/conclusions adopted by Council		Summary
05/06/2007	Vote in committee		Summary
11/06/2007	Committee report tabled for plenary	A6-0223/2007	
20/06/2007	Debate in Parliament		
21/06/2007	Decision by Parliament	T6-0284/2007	Summary
21/06/2007	Results of vote in Parliament		
21/06/2007	End of procedure in Parliament		

Technical information

Procedure reference	2006/2111(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Strategic initiative
Legal basis	Rules of Procedure EP 55
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/6/36415

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE384.636	10/04/2007	
Committee opinion	AFET	PE376.668	26/04/2007	
Amendments tabled in committee		PE388.537	27/04/2007	
Committee report tabled for plenary, single reading		A6-0223/2007	11/06/2007	
Text adopted by Parliament, single reading		T6-0284/2007	21/06/2007	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2005)0491	12/10/2005	Summary
Follow-up document	COM(2009)0263	10/06/2009	Summary
Follow-up document	SEC(2009)0765	10/06/2009	
Follow-up document	SEC(2009)0766	10/06/2009	Summary

Follow-up document	SEC(2009)0767	10/06/2009	

Area of freedom, security and justice: strategy for the external dimension, action plan implementing the Hague Programme

2006/2111(INI) - 10/06/2009 - Follow-up document

This document evaluates in detail the extent to which implementation of the Hague Programmeand the related Action Planhas helped strengthen freedom, security and justice in the European Union. It forms part of the Commission communication, 'Justice, Freedom and Security since 2005: An evaluation of the Hague Programme and Action Plan', which is published together with the Communication on the future priorities for the next multi annual programme ("Stockholm Programme").

The Commission concludes that future action for the further strengthening of justice, freedom and security in the EU should pay particular attention to the lessons learned from the past and should serve the citizen through more efficient and effective policy-making. Looking at the achievements and difficulties encountered during the implementation of the Hague Programme and the related Action Plan analysed in this report, four main lessons applicable across all policy areas have been identified:

- the need for joined-up thinking and action;
- further attention to implementation and enforcement;
- improving the use of evaluation;
- complementing internal policies though external action.

Area of freedom, security and justice: strategy for the external dimension, action plan implementing the Hague Programme

2006/2111(INI) - 04/12/2006

The Council took note of a Presidency report on the implementation of the “Strategy for the External Dimension of the JHA: Global Freedom, Security and Justice” covering the year 2006.

The strategy calls for the establishment of a partnership with third countries in the field of JHA, which includes strengthening the rule of law and promoting respect for human rights as well as international obligations. This is to be achieved through greater co-operation on:

- migration and asylum;

- border management and the effective control of borders;

- law enforcement co-operation on combating terrorism as well as the fight against organised crime,

- including trafficking in human beings, money laundering and the fight against corruption;

- judicial co-operation in civil and criminal matters; and assisting the judiciary and judicial reform of third countries.

The report focuses on:

- an overall assessment of the effectiveness of political, technical and operational co-operation with third countries on JHA issues in the previous period;

- specific suggestions for geographical and/or thematic priorities for future action; and

- options for measures, whether political or technical to improve co-operation with specific countries and regions.

Area of freedom, security and justice: strategy for the external dimension, action plan implementing the Hague Programme

2006/2111(INI) - 10/06/2009 - Follow-up document

This Communication from the Commission covers the issue of justice, freedom and security in Europe since 2005: an evaluation of The Hague programme and action plan.

The Hague Programme has been the EU's blueprint for realising its vision in the areas of access to justice, international protection, migration and border control, terrorism and organised crime, police and judicial cooperation and mutual recognition.

The Commission has carefully monitored the implementation of the Programme at EU and Member State level. Individual instruments have been evaluated by the Commission or by Member States through peer reviews. Drawing from these exercises, this Communication highlights the principal themes which have emerged, and looks ahead to how the EU should respond to the challenges of the future.

Three longer documents accompany the communication:

1. a report on the implementation of the programme which details, policy-by-policy, objectives, significant developments and future challenges;
2. an 'institutional scoreboard' which provides an overview of the programme's stated instruments and targets;
3. an 'implementation scoreboard' on implementation at national level.

The priorities for building on what has been achieved will be set out in the next multiannual programme (the Stockholm Programme – see COM(2009) 0262).

The Commission concludes that, with regard to The Hague Programme, progress has been mixed, but there have been **visible achievements**:

- **Strengthening freedom**: achievements are visible in the following areas: (i) protection of fundamental rights; (ii) citizenship of the Union; (iii) the Common European Asylum System; (iv) migration and integration; (v) border management; (vi) visa policy; (vii) the external dimension of asylum and migration;
- **Strengthening security**: achievements are visible in the following areas: (i) terrorism; (ii) police cooperation; (iii) organised crime; (iv) European Strategy on Drugs;
- **Strengthening justice**: achievements are visible in the following areas: (i) judicial cooperation in criminal matters; (ii) facilitating civil law procedure across borders; (iii) mutual recognition; (iv) external relations; (v) financial instruments.

Nevertheless, **progress in certain areas remains mixed or limited**. This uneven progress can be to a large extent explained by the unique challenges faced by the JLS area: a relatively young acquis, an insufficient role of the European Parliament in certain policy areas, a limited jurisdiction of the European Court of Justice and a limited competence of Commission to bring infringement, and the requirement for unanimity for decision-making in several areas.

Several elements of the Hague Programme which have not been delivered can be clearly attributed to the failure to ratify the Constitutional Treaty. The accession of the European Union to the **European Convention on Human Rights** has not been possible without the legal basis the Constitutional Treaty would have provided, and which the Lisbon Treaty would provide should it come into force.

Progress was comparatively slow in **mutual recognition in criminal matters and police cooperation**. The decision making process falling under the so-called 'third pillar' method (Title VI TEU) requires unanimity. This often leads to lengthy inconclusive discussions or ambitious proposals being reduced to agreement around lowest-common-denominator texts. A framework decision on procedural rights is one example of a proposal envisaged by the Hague Programme which was not adopted despite the importance attached to it by practitioners throughout Europe.

In addition, for legislative instruments in the third pillar, the **lack of recourse to formal infringement procedures** for ensuring proper transposition, and at times significant delays in the transposition of EU instruments at national level have resulted to some degree in a 'virtual' legislative framework with little or no benefit for the EU citizen.

The EU needs to **learn from past action**, making full use of successful strategies and correcting what could have been done better. The following themes should guide future work across justice, freedom and security policies:

- joined-up thinking and action;
- further attention to implementation and enforcement;
- improving the use of evaluation;
- complementing internal policies though external action.

Area of freedom, security and justice: strategy for the external dimension, action plan implementing the Hague Programme

2006/2111(INI) - 12/10/2005 - Non-legislative basic document

PURPOSE: to present a strategy on the external dimension of the area of freedom, security and justice.

CONTENT: the European Commission has prepared this Communication in response to the Hague Programme, which calls on the EU to adopt by the end of 2005, a “strategy on the external dimension of the area of freedom, security and justices.”

The purpose of the strategy is two-fold: firstly, to contribute to the successful establishment of the internal area of freedom, security and justice by creating a secure external environment, and secondly to

advance the EU’s external relations objectives by promoting the rule of law, democratic values and sound institutions.

Securing internal security depends heavily on securing external security and it is this challenge which the proposed Strategy seeks to address. External threats challenging internal security are numerous and have been identified as:

- Terrorist attacks akin to those conducted in Madrid and London.

- Organised crime – money laundering, drugs trafficking, human trafficking, arms trafficking.
- Illegal immigration.
- Failing, unstable, governments
- Weak cross-border commercial transactions.

According to the Commission's Communication, the only way to address these pernicious threats is through the establishment of a coherent and comprehensive strategy that engages third-countries. The proposed strategy would be centred on a number of core issues and guided by a set of policy principles. The political priorities identified are:

- Human Rights: The EU should continue in its efforts to promote human rights in third-countries. Support should be given to third-country judiciaries in order to instil impartiality and the importance of upholding human rights.
- Good governance: The EU should strengthen law enforcement; strengthen EU-third country co-operation on common security threats; fight corruption; and promote transparency alongside democratic accountability.
- Migration, asylum and border management: The EU should offer support to third-countries in their migration management policies and their refugee protection policies; support operational border management initiatives; help enhance document security; seek to prevent illegal immigration; ensure the return of illegal migrants.
- Fight against terrorism: The EU should provide third countries with assistance in institutional building; it should work with third countries to address terrorist recruitment and financing; it should support the UN and build upon the EU's relationship with the US in order to enhance co-operation efforts.
- Organised crime: The EU should support institutional capacity and develop operational co-operation.

The principles guiding the political priorities include, in summary: geographic prioritisation (for example, adopting a more comprehensive approach towards candidate countries and neighbourhood countries, whilst offering more specific, focus driven, actions with other third countries); differentiation (recognising the need for a tailored approach to the external challenges facing the EU's security and not simply a "one size fits all" approach). Other principles guiding the EU should be: flexibility; cross-pillar co-ordination and benchmarking.

The EU has, at its disposal, a number of policy instruments to help enact this strategy. They include bi-lateral agreements, the EU's enlargement and pre-accession process; the European Neighbourhood Policy Action Plans; regional co-operation, individual agreements; operational co-operation; institution building and twinning; development policy and external aid.

Underpinning the strategy is the need to promote the rule of law in third countries. Unstable, undemocratic and failing countries export the kind of threats outlined above thereby jeopardising the EU's establishment of an area of security justice and freedom. In following the proposed strategy on securing external security, the EU should be well placed to stem the import of threats, which undermine its internal security.

Area of freedom, security and justice: strategy for the external dimension, action plan implementing the Hague Programme

2006/2111(INI) - 21/06/2007 - Text adopted by Parliament, single reading

The European Parliament adopted the resolution based on the own-initiative report drafted by Bogdan **KLICH** (EPP-ED, PL), the Committee on Civil Liberties, Justice and Home Affairs approved the report on an area of freedom, security and justice: Strategy on the external dimension, Action Plan implementing the Hague programme. (Please see the summary of 05/06/2007.) Parliament also stated that it believed that the time is ripe to overcome political impediments to deeper transatlantic cooperation in the broader dimension of freedom and security, on a basis of respect for fundamental rights. This should take place, for example, in the areas of the fight against drug trafficking, organised crime and terrorism, in particular in view of the future civilian ESDP operations in Kosovo and Afghanistan, and in the areas of women's rights and the exchange and protection of personal data. It recalled, in this connection, Parliament's calls for the closure of the jail at Guantánamo, stressing that its existence is sending out a negative signal on how to combat terrorism.