

Communication: Ten priorities for the next five years — The Partnership for European renewal in the field of Freedom, Security and Justice (Brussels, 10 May 2005)

Caption: Action Plan presented by the European Commission to the Council and the European Parliament on 10 May 2005 in order to carry out the Hague Programme, which reaffirms the EU's commitment to the area of freedom, security and justice. This Action Plan comprises two main sections: in the first section the Commission outlines the issues and salient aspects of the Hague Programme. The Commission also notes ten priorities on which most attention should be placed. The second section details the measures and specific actions that the Commission believes should be taken in the field of freedom, security and justice.

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COMMUNICATION FROM THE COMMISSION TO THE COUNCIL AND THE EUROPEAN PARLIAMENT

The Hague Programme: Ten priorities for the next five years The Partnership for European renewal in the field of Freedom, Security and Justice

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1. INTRODUCTION

The European Council of 4-5 November 2004 endorsed the Hague Multiannual Programme for strengthening the area of freedom, security and justice.

The Hague Programme is the successor to the Tampere Programme, which was endorsed by the European Council on 15-16 October 1999. This was the first multiannual programme to fix priorities for an area of freedom, security and justice. The Commission evaluated the results of the last five years in its Communication of 2 June 2004[1].

The Hague Programme marks the end of a cycle and the beginning of a new one. It is no surprise, therefore, that this second multiannual programme builds upon the positive experience of the past five years. In order to carry out the Hague Programme, the European Council invited the Commission to present an Action Plan to the Council in which the aims and priorities of the Programme are to be translated into concrete actions, including a timetable for the adoption and implementation of all actions.

This Action Plan is therefore composed of two parts. The first part (chapter 2) gives an overview of the issues at stake, and of some of the most important aspects of the Programme. It also identifies, from among the orientations of the Programme, ten specific priorities upon which the Commission believes efforts for the next five years should be concentrated. The second part (chapter 3) consists of an annex listing the concrete measures and actions to be taken over the next five years. This list closely adheres to the structure of the Hague Programme.

It is also important to note that this Action Plan needs to be read in conjunction with other Plans and Strategy papers regarding specific policy issues in the area of freedom, security and justice: it will be the Commission's task to ensure the general coherence of these exercises. Some of these documents have been presented by the Commission very recently or are about to be presented (the EU Action Plan on Drugs of 14 February 2005[2], following the new European Strategy on Drugs 2005-2012; the Communication on Perspectives for the development of mutual recognition of decisions in criminal matters and of mutual confidence and the Communication "Developing a Strategic Concept on Tackling

Organised Crime”.

The Hague Programme calls for a mid-term review of the Action Plan by 1 November 2006. To that end, the Commission will timely present a report on the progress made and on the possible adjustments needed to the Programme.

2. THE ACTION PLAN IMPLEMENTING THE HAGUE PROGRAMME: TRANSLATING POLITICAL PRIORITIES AND MONITORING IMPLEMENTATION

2.1. The political mandate of the Hague Programme

The Hague Programme reaffirms the importance that the European Union attaches to the area of freedom, security and justice, placing it as a high priority on the Union's agenda – not only because it figures among the fundamental objectives of the Union, but in particular because it is at the heart of citizens' interests.

The Programme sets out the framework and main objectives for the next five years. It seeks to respond to the expectations of our citizens and deals with all aspects of policies relating to the area of freedom, security and justice and it addresses both general orientations (fundamental rights, implementation and evaluation) and specific orientations, focusing on (1) strengthening freedom[3] (2) strengthening security (3) strengthening justice and (4) external relations. The European Strategy on Drugs 2005-2012 endorsed by the European Council in December 2004 is an integral part of the Hague programme.

The Programme calls for a Strategy covering the external dimension of Union policy on freedom, security and justice, and asks the Commission to present it in close collaboration with the Council Secretary-General/High Representative. It should reflect the Union's special relations with third countries and regions and focus on the specific needs for JHA cooperation with them. As a first step, the Commission will present a Communication to prepare the Strategy which complements this Action Plan.

The European Council “noted that due account should be taken of the financial implications for the multiannual agenda in the area of freedom, security and justice.” It is clear that one of the essential pre-conditions for achieving the policy objectives which have been fixed is to match these objectives with adequate financial resources. The Commission has presented on 6 April 2005 three Framework Programmes on (1) Solidarity and Management of Migration Flows, (2) Security and Safeguarding Liberties and (3) Fundamental Rights and Justice[4]. The three proposals are fully in line with the strategic priorities set by the Hague Programme.

The Commission's evaluation of the Tampere Programme of 2 June 2004[5] and the Recommendation adopted by the European Parliament on 14 October 2004[6] have been taken into account in the Hague Programme, in particular in connection with the introduction of the procedure under Article 251 TEC (co-decision procedure) for areas of Title IV TEC. Given the political impetus from the European Council, on 22 December 2004 the Council was able to adopt a decision applying co-decision and qualified majority voting to all Title IV measures with the exception of legal immigration, as of 1 January 2005[7]. This is the first success of the Hague Programme. Not only is the enhanced role of the European Parliament an improvement in democratic legitimacy, but the rate of completion of the work is likely to increase with the abolition of unanimous voting.

However, the Council Decision of 22 December 2004 did not include, as foreseen by Article 67 of the Treaty, any provision adapting the powers of the Court. The Commission continues to believe that in this area, which so closely touches the right of individuals, an increased access to the Court of Justice is essential. The matter of increased access to the Court of Justice for preliminary rulings is an issue which must call for consideration particularly – as is recognised by the fourth paragraph of Article III-369 of the Constitution and referred to in the Hague Programme – given the need to ensure speedy treatment of such cases.

2.2. The Hague Programme and the Constitution

The Hague Programme reflects the ambitions expressed in the Constitution which, subject to national ratification procedures, should enter into force on 1 November 2006, bringing about a significant revision of the existing provisions governing the area of freedom, security and justice and the integration of the Charter of Fundamental Rights. The innovations arising from the Constitution could not be applied before the end of the ratification period. Coherently, the Commission is committed to undertake the necessary preparatory work so that measures could be taken immediately after the entry into force of the Constitution.

2.3. Ten priorities for the next five years: a partnership for European renewal

In preparing the Action Plan implementing the Hague Programme, the Commission has provided a list of the actions which the Programme calls for. The achievement of the ambitious objectives of the Hague Programme should be ensured through a collective effort of the Council, the European Parliament and the Commission within the framework of a strong and effective partnership.

Within the strategic objectives already agreed upon by the European Council in the Hague Programme in view of the strengthening of the area of Freedom, Security and Justice, and which are translated into concrete measures in chapter 3 (annex) following the order of the Hague Programme itself, the Commission has identified ten priorities on which it believes the collective efforts must be particularly

concentrated in the next five years. The ten priorities are equally important and cover the whole spectrum of the Hague objectives. This exercise will avoid a dispersal of efforts and ensure that the Programme's aims are achieved. The Commission also believes that it is crucial to identify the added value at European level of any legislative and non-legislative initiative to be taken in the area of Freedom, Security and Justice, by fully applying the principle of subsidiarity and exploiting the better regulation mechanisms as well as by conducting impact assessment on the main proposals to be presented.

The Strategic Objectives 2005-2009 [8] refers specifically to the development of a partnership in view of the strengthening of an area of Freedom, Security and Justice. Within the objectives of (a) strengthening freedom (b) strengthening security (c) strengthening justice, the main ten priorities identified by the Commission can be summarised as follows:

Fundamental rights and citizenship: creating fully-fledged policies Ensure the full development of policies monitoring and promoting respect for fundamental rights for all people and of policies enhancing citizenship. The fight against terrorism: working toward a global response Focus on different aspects of prevention, preparedness and response in order to further enhance, and where necessary complement, Member States capabilities to fight terrorism, in relevant areas such as recruitment, financing, risk analysis, protection of critical infrastructures and consequence management. A common asylum area: establish an effective harmonized procedure in accordance with the Union's values and humanitarian tradition Work towards the establishment of a common asylum area taking into account the humanitarian tradition and respect of international obligations of the Union and the effectiveness of a harmonised procedure. Migration management; defining a balanced approach Define a balanced approach to migration management by developing a common immigration policy which addresses legal migration at Union level, while further strengthening the fight against illegal migration, smuggling and trafficking in human beings, in particular women and children. Integration: maximising the positive impact of migration on our society and economy Develop supportive measures to help Member States and deliver better policies on integration so as to maximise the positive impact of migration on our society and economy and to prevent isolation and social exclusion of immigrant communities. This will contribute to understanding and dialogue between religions and cultures, based on the fundamental values of the Union. Internal borders, external borders and visas: developing an integrated management of external borders for a safer Union Further develop an integrated management of external borders and a common visa policy, while ensuring the free movement of persons (people-to-people). Privacy and security in sharing information: striking the right balance Strike the right balance between privacy and security in the sharing of information among law enforcement and judicial authorities, by supporting and encouraging a constructive dialogue between all parties concerned to identify balanced solutions, while fully respecting fundamental rights of privacy and data protection, as well as the principle of availability of information as laid down in the Hague Programme. Organised crime: developing a strategic concept Develop and implement a strategic concept on tackling organised crime at EU level. Make full use of and further develop Europol and Eurojust. Civil and criminal justice: guaranteeing an effective European area of justice for all Guarantee an European area of justice by ensuring an effective access to justice for all and the enforcement of judgments. Approximation will be pursued, in particular through the adoption of rules ensuring a high degree of protection of persons, with a view to building mutual trust and strengthening mutual recognition, which remains the cornerstone of judicial cooperation. Improve the EU substantive contract law. Freedom, Security and Justice: sharing responsibility and solidarity Give practical meaning to notions of shared responsibility and solidarity between Member States by providing adequate financial resources that can meet the objectives of Freedom, Security and Justice in the most efficient way. |

10. (1) Fundamental rights and citizenship: creating fully-fledged policies

Fundamental rights are at the core of the Union's values. Full development of policies monitoring and promoting respect for fundamental rights for all people and of policies enhancing citizenship must be ensured.

The Constitution places the individual at the heart of the European project by integrating the Charter of Fundamental Rights and by providing for accession to the European Convention for the Protection of Human Rights and Fundamental Freedoms.

Furthermore, it is important to provide decision-makers with accurate and reliable data on the respect for fundamental rights in the Union. The conversion of the European Monitoring Centre for Racism and Xenophobia toward the establishment of a fully-fledged Fundamental Rights Agency will be another important element in the promotion and protection of fundamental rights.

Among those rights, the Commission will devote special attention to the rights of the child, in view of their protection, since children are among the most vulnerable in the population. The Constitution explicitly includes "the promotion and the protection of the rights of the child" among the objectives of the Union.

Furthermore, the Commission will, in collaboration with member States, pursue its efforts to combat violence against women and provide support to victims.

The Commission will pursue its action to combat discrimination in all its forms. This will include ensuring

effective implementation and enforcement of EU anti-discrimination legislation.

Particular attention must be dedicated to the protection of personal data, which has been recognised by the Charter of Fundamental Rights and by the Constitution as a fundamental right of its own, distinct from the right to privacy.

Citizenship of the Union entails a number of crucial rights such as free movement within the EU, diplomatic and consular protection or voting rights in European Parliament and local elections. Measures are envisaged in all of these areas in order to improve the exercise of citizenship rights of EU citizens.

(2) The fight against terrorism: working toward a global response

A global response is required to address terrorism. The expectations that citizens have of the Union cannot be ignored, and nor can the Union fail to respond to them.

Attention must focus on different aspects of prevention, preparedness and response to further enhance, and where necessary complement, Member States' capabilities to fight terrorism, concentrating particularly on recruitment, financing, risk analysis, protection of critical infrastructures and consequence management.

The fight against terrorism calls for an integrated and coherent approach, covering a wide range of issues which the Hague Programme has identified. A crucial area that demands the Union's attention is cooperation between the different competent authorities of Member States, most notably in exchanging information relevant for the investigation of terrorist activities.

It is also of the utmost importance to understand the complex phenomenon that is terrorism in Europe: the processes of indoctrination and recruitment and the type of environment that allows terrorist ideas and movements to take root. Efforts in the fight against the financing of terrorism should be further pursued.

The efforts of Member States and the EU must be complemented by external cooperation, working with third countries to fight terrorism, notably assisting them in funding counter-terrorism and capacity-building projects, as well as tackling the roots of terrorism.

(3) A common asylum area: establish an effective harmonized procedure in accordance with the Union's values and humanitarian tradition

The establishment of a Common European Asylum System is another priority. In the next few years, the work will focus on concluding the evaluation of the first phase instruments by 2007, and to submit the second phase instruments and measures in developing a common asylum policy, which will seek to establish a common procedure and uniform status for persons benefiting from asylum or subsidiary protection before the end of 2010.

Administrative cooperation between the national services of Member States must be reinforced, and funds earmarked to assist Member States in processing the applications and the reception of third country nationals. The Hague Programme has also indicated the need to study the possibility of joint processing of asylum applications.

The development of EU- Regional Protection Programmes and Resettlement Schemes is being launched by the Commission.

(4) Migration management: defining a balanced approach

A new balanced approach to migration management, dealing both with legal and illegal migration, needs to be defined and a common immigration policy addressing the situation of legal migrants at Union level needs to be developed, while further strengthening the fight against illegal migration, migrant smuggling and trafficking in human beings, notably women and children.

While the decision as to how many migrants coming from third countries can be admitted to each Member State to seek work in an employed or self-employed capacity remains a national decision, an area of free movement demands a common immigration policy, covering admission procedures and criteria and delivering a secure legal status and a guaranteed set of rights to assist the integration of those who are admitted. Furthermore, immigration plays a fundamental role in the economies and societies of Member States as well as of countries of origin and transit, which also justifies the need for a common approach based on a rational use of an immigrant workforce.

The human, social and economic costs of illegal migration – not only in host countries but also in countries of origin and transit – are extremely high, calling for rules on return procedures, the speeding up of the conclusion of readmission agreements, and further coordination to combat smuggling and trafficking in human beings. However, the respect for the rights and dignity of third country nationals, including in an irregular situation in the Union must always remain a guiding principle in EU policy. In particular, the treatment of persons trafficked into or within the EU must respect their specific situation and human rights standards.

A common immigration policy cannot confine itself to admission and return policies: successful management of migrations flows must become an integral element and comprise a serious investment in relations with third countries, both of origin and of transit, notably through assistance and cooperation, in the mutual interest of third-countries and of the Union.

(5) Integration: maximising the positive impact of migration on our society and economy

In order to maximise the positive impact of immigration on our society and economy and, as a matter of outmost importance, to prevent isolation and social exclusion of immigrant communities, it is necessary to support and encourage Member States to deliver better policies on integration. A successful integration policy must contribute to understanding and dialogue between religions and cultures .

The integration of third-country nationals requires mobilising a range of mainstream policies, also including employment and education.

Greater contact between national authorities is needed in order to exchange experiences and information on integration.

It is therefore necessary to establish a European Framework on Integration based upon the common principles endorsed by the European Council ensuring respect for EU values and upholding non-discrimination.

(6) Internal borders, external borders and visas: developing an integrated management of external borders for a safer Union

An area where the free movement of persons is fully ensured demands further efforts leading to integrated control of the access to the territory of the Union, based on an integrated management of external borders , a common visa policy and with the support of new technologies, including the use of biometric identifiers.

Following the Union's latest enlargement, it will be a priority to achieve internal free movement, and to be able to fully abolish controls of persons at internal border . In this sense, the establishment of SIS II and the smooth running of evaluations, foreseen by the Accession treaties, are fundamental in order to pave the way for the new Member States.

An important step in the management of external borders is the creation of the Border Management Agency, which will be responsible for coordinating and assisting Member States' action in surveillance and controlling of external borders.

The development of an effective visa policy will be facilitated through the availability of the Visa Information System. This will call for the reinforcement of the cooperation between Member States to create common application centres for visas, which could be a first step towards a future European common consular service .

Another important element is the inclusion of biometric identifiers in travel and identification documents, enhancing document security while maintaining full respect for fundamental rights. Furthermore, possible synergies between EU and national information systems, based on interoperability, should be fully exploited.

(7) Privacy and security in sharing of information: striking the right balance

Effective maintenance of law and order and the investigation of cross-border criminality in an area of free movement cannot be allowed to be impeded by cumbersome procedures for the exchange of information.

The Union should support and encourage a constructive dialogue between all parties concerned to identify balanced solutions, fully respecting fundamental rights to privacy and data protection, as well as the principle of availability of information.

The principle of availability, as laid out in the Hague Programme, states that information for law enforcement purposes needed by the authorities of one Member State will be made available by the authorities of another Member State, subject to certain conditions. The Commission will present proposals to this end, including the possibility of mutual consultation of databases of Member States.

In this area, the right balance between privacy and security should be found in sharing information among law enforcement and judicial authorities.

The balance between privacy and security should also be carefully considered in the area of the exchange of airlines passenger data for aviation security and anti-terrorism purposes.

(8) Organised crime: developing a strategic concept

A strategic concept on tackling organised crime at EU level will be developed and implemented. To this end, the Commission will shortly present a Communication "Developing a Strategic Concept on Tackling Organised Crime" . This includes measures designed for improving knowledge of the phenomenon and for strengthening prevention, investigation and cooperation on organised crime within the EU. The strategy must also contemplate intensifying cooperation with third countries and international organisations on this issue as one of its priorities.

Fighting organised crime requires improving cooperation between law enforcement services (police, justice, customs) as well as making full use of and further developing Europol and Eurojust . Working towards a European criminal intelligence model is one of the more important tasks ahead in this field and will require the shared efforts of Member States, EU institutions and bodies.

(9) Civil and criminal justice: guaranteeing an effective European area of justice for all

A European area of justice is more than an area where judgements obtained in one Member State are recognised and enforced in other Member States, but rather an area where effective access to justice is guaranteed in order to obtain and enforce judicial decisions. To this end, the Union must envisage not only rules on jurisdiction, recognition and conflict of laws, but also measures which build confidence and mutual trust among Member States, creating minimum procedural standards and ensuring high standards of quality of justice systems, in particular as regards fairness and respect for the rights of defence. Mutual understanding can be further pursued through the progressive creation of a "European judicial culture" that the Hague Programme calls for, based on training and networking. A coherent strategy in the EU's relations with third countries and international organisations is also needed.

In the field of civil justice, completion of the Programme on mutual recognition of decisions in civil and commercial matters is of the utmost importance. It will involve the adoption of legislative proposals already presented by the Commission, or in the process of being put forward, and launching consultations in order to prepare new legislation not yet subject to mutual recognition (such as family property issues, successions and wills). Another fundamental aspect to be addressed is the enforcement of judicial decisions and mutual recognition of public and private documents. Regarding the EU substantive contract law, a Common Frame of Reference (CFR), to be used as a toolbox to improve coherence and quality of EU legislation, will be adopted in 2009 at the latest.

Regarding criminal justice, approximation and the establishment of minimum standards of several aspects of procedural law (such as *ne bis in idem*, handling evidence or judgements in absentia) are instrumental in building mutual confidence and pursuing mutual recognition. Concerning the latter, several actions must be carried forward in order to ensure efficient and timely action by law enforcement authorities (such as mutual recognition of non-custodial pre-trial supervision measures, or recognition and execution of prison sentences) and, more generally, to replace traditional mutual assistance with new instruments based on mutual recognition. Eurojust should be considered as the key actor for developing European judicial cooperation in criminal matters. Its role should be supported and its potentialities fully exploited in the light of the experience acquired and in view of future developments. In this context, the Commission will also follow up its previous work and the possibilities afforded by the Constitution, as regards improving the protection of the Union's financial interests.

(10) Sharing responsibility and solidarity

No policy objective can be reached without adequate financial resources and the Hague Programme established a clear connection between those two elements. To this end, in April 2005 the Commission presented three Framework Programmes, which seek to give practical meaning to the concepts of shared responsibility and solidarity between Member States by reviewing the type of policy and financial instruments that can meet the objectives of freedom, security and justice in the most efficient way.

2.4. Implementation, evaluation and flexibility

The Commission fully shares the importance the Hague Programme recognised to the implementation dimension and to the need of establishing mechanisms which can adequately evaluate and assess the implementation by Member States of measures in the area of freedom, security and justice.

The Constitution provides in Article III-260 for the adoption of measures enabling the Commission and Member States to evaluate impartially and objectively implementation of Union policies in this area. The Commission will present a Communication in early 2006 outlining the main objectives of the future mechanism and it intends to present proposals following the entry into force of the Constitution.

In the meantime, however, the European Council has invited the Commission to present an annual report on implementation of EU measures (a "scoreboard") and to inform the European Parliament and national parliaments.

This will allow having a more complete overview of the state of play of policy regarding the area of freedom, security and justice and of the effective implementation of adopted measures by the Member States. The first Scoreboard will be presented in December 2005, and it will require the active participation of Member States, who will be invited to regularly notify their progress in implementing the adopted measures.

In addition, the European Council urged the Council to develop practical methods to facilitate timely implementation in all policy areas: requiring that proper plans for implementation are developed at national level, ensuring that the length of the implementation period is adequate, and examining regular progress reports from the Commission.

Given the general political environment in the area of freedom, security and justice, new political priorities are likely to emerge as a result of unexpected events, often of an international nature and dimension. The Action Plan has to be flexible and adaptable, particularly in the longer term, in order to allow for new priorities which may emerge in the coming years. The Constitution will permit a significant rationalisation of the legal and institutional framework. Here too, the European Council considered it important to allow for some flexibility, imposing a review of the Hague Programme.

3. IDENTIFYING CONCRETE ACTIONS

The Hague Programme requires that the Commission should translate the Hague objectives into

concrete measures. To this end, the annex to this Communication consists of an Action Plan listing the main actions and measures to be taken over the next five years, including a specific set of deadlines for their presentation to the Council and the European Parliament.

Following the endorsement of the Tampere conclusions in 1999 and of the Hague Programme in 2004, the European Council should preserve its guiding role in the definition of strategic guidelines and the planning of future action in an area of freedom, security and justice. The Commission invites the Council to discuss this Communication and its accompanying Action Plan with a view to an endorsement by the June 2005 European Council.

ANNEX THE HAGUE PROGRAMME: TEN PRIORITIES FOR THE NEXT FIVE YEARS LIST OF MEASURES AND TIMETABLE FOR ADOPTION

1. GENERAL ORIENTATIONS

- Setting up of a system for objective and impartial evaluation of the implementation of EU measures in the field of Freedom, Security and Justice

- Communication on and Proposal for the creation of an evaluation mechanism, as envisaged by Article III-260 of the Constitutional Treaty (2006)

1.1. Respect and active promotion of fundamental rights

- Framework Programme "Fundamental Rights and Justice" under the new Financial Perspectives (2005)

- Specific Programme on Citizenship and Fundamental Rights (2007)

- Specific Programme on Fight against violence (Daphne) and drugs prevention and information (2007)

- Accession of the European Union to the European Convention for the protection of human rights and fundamental freedoms (informal discussions to be started in 2005)

- Proposal extending the mandate of the European Monitoring Centre on Racism and Xenophobia towards a Fundamental Rights Agency (proposal in 2005)

- Daphne II programme: 2006 work programme (2005)

- Study on prevention measures to combat violence against women (2006)

- Communication on the protection of the rights of the child (2005)

1.2. European Strategy on drugs

- EU Action Plans on drugs 2005-2008 (2005) and 2009-2012 (2009)

- Continuous evaluation of the EU Action Plan on Drugs 2005-2008 (annual)

- Green Paper on the role of civil society in formulating policies in the drugs field (2006)

- Report on the implementation and functioning of the Framework Decision on drugs trafficking (2007)

- Progress report on and impact assessment of the EU Action Plan on drugs 2005-2008 (2008)

- Communication on an EU Action Plan on drugs 2009-2012 (2009)

2. STRENGTHENING FREEDOM

2.1. Citizenship of the Union

- Reports on the application of Directives 90/364, 90/365 and 93/96 on the right of residence of pensioners, students and inactive persons and of

- Directive 93/109/EC on the right to vote in the EP elections, including in the new Member States and, if appropriate, proposals for the amendment of the latter Directive (2005/2006)

- Proposal to facilitate diplomatic and consular protection (2006)

- Proposal on provisions and conditions required for a European citizens' initiative (2007)

- Examination of possible measures to strengthen and to add to the rights laid down under the citizenship provisions of the Treaties (Article 22 TEC) (2008)

- Allowing EU citizens and members of their family to move within the European Union on similar terms to nationals of a Member State moving around or changing their place of residence in their own country

- Control of transposition, compliance and correct application of Directive 2004/38/EC on free movement and residence (2006)

- Report on application of Directives 90/364/EEC, 90/365/EEC and 93/96/EEC on free movement and residence (2006)

- Report on application of Directive 2004/38/EC on free movement and residence and, if appropriate, proposals for the amendment of the Directive (2008)

2.2. Asylum, migration and border policy

- Framework Programme "Solidarity and Management of Migration Flows" under the new Financial Perspectives (2005)

- Establishment of an External Borders Fund (2007)

- Establishment of an Integration Fund (2007) [9]
- Establishment of a Return Fund (2007)
- Adaptation of the European Refugee Fund (2007)
- Common analysis of migratory phenomena in all their aspects (Reinforcing the collection, provision, exchange and efficient use of up-to-date information and data)
- Annual reports on migration and asylum statistics (on-going)
- Adoption of an EU Framework Regulation on the collection of migration and asylum statistics (2005)
- Green Paper on the future of the European Migration Network (2005)
- Proposal establishing a European Migration Monitoring Centre (2006)

2.3. Common European Asylum System

- Adoption of the Asylum Procedures Directive (2005)
- Evaluation of the first phase legal instruments
- Monitoring the transposition and implementation of first phase instruments (2005-2007)
- Second phase of development of a common policy on asylum, establishment of a common asylum procedure and a uniform status for those who are granted asylum or subsidiary protection
- Proposal on long-term resident status for refugees (2005)
- Second-phase instruments and measures to be presented to the Council and the European Parliament (adoption before the end of 2010)
- Establishment of structures involving the national asylum services of the Member States for promoting cooperation (Communication - 2005)
- Studies on the implications of joint processing of asylum applications
- Study on the joint processing of asylum applications within the Union (2006)
- Study, to be conducted in close consultation with the United Nations High Commissioner for Refugees (UNHCR), on joint processing of asylum applications outside EU territory, (2006)
- Establishing a European support office for all forms of cooperation between Member States relating to the Common European Asylum System (after the establishment of a common asylum procedure and on the basis of an evaluation)
- Establishment of the European Refugee Fund (ERF) 2005-2013 to assist Member States in the processing of asylum applications and in the reception of certain categories of third-country nationals
- Final Report on the European Refugee Fund (2005)
- Proposal for amending European Refugee Fund decision to assist Member States in the reception of certain categories of third-country nationals (2005)
- Approvals of European Refugee Fund national multiannual programming (2005, 2008 and 2011)
- Adaptation of the European Refugee Fund (2007)

2.3.1. Legal migration including admission procedures

- Developing policy on legal migration
- Assessment and monitoring of the transposition and implementation of first phase directives on legal migration (2005-2011)
- Debate on Green Paper on economic migration (2005)
- On the basis of the outcome of the public consultation on the Green Paper on economic migration, presentation of a Policy Plan on legal migration, including admission procedures (2005)

2.3.2. Integration of third-country nationals

- Establishment of a coherent European framework for integration
- Communication on a European framework for integration (2005)
- Promotion of the structural exchange of experience and information on integration[10]
- Management of INTI preparatory actions (2005-2006)
- Annual reports on immigration and integration (2005 on-going)
- Handbook on integration (second edition 2006, on-going)
- Development of a website on the Internet (2006)
- Establishment of an Integration Fund (2007)

2.3.3. Fight against illegal immigration

- Contribution to management of immigration liaison networks in relevant third countries (2005 on-going)

- Annual report on the common policy on illegal migration (2005 on-going)
- Adoption of a Commission Decision establishing a secure web-based information network for Member States migration services (ICONET) (2005)
- Proposal for the conclusion and signature of the Council of Europe Convention on action against trafficking in human beings (CAHTEH) (2005)
- Establishment of an effective removal and repatriation policy based on common standards and a closer cooperation and mutual technical assistance
- Proposal on return procedures (2005)
- Launching of the preparatory actions for financial support to Return Management (2005)
- Appointment of a Commission Special Representative for a common readmission policy (2005)
- Conclusion of Community readmission agreements and management of existing agreements (timely)
- Establishment of a Return Fund (2007)

2.3.4. External dimension of asylum and migration

- Cooperation with third countries in managing migration and asylum
- Communication on migration and development (2005)
- Revised version for 2006 of the reference document of the AENEAS Programme, 2004-2006 (2005)
- Completing the integration of migration into the Country and Regional Strategy Papers for all relevant third countries (2005)
- Development of EU-Regional Protection Programmes
- Plan of action for EU Regional Protection Programme, including EU resettlement scheme (2005)
- Launching pilot protection programmes (2005)
- Intensified cooperation with countries of transit to enable these countries better to manage migration and to provide adequate protection for refugees
- Report on progress and achievements in asylum and migration, within the context of the European Neighbourhood Policy (2005)

2.3.5. Border management, biometrics, information systems and visa policy

- Abolition of controls of persons at the internal borders
- Proposal on SIS II legal instruments (2005)
- Start of evaluation of the implementation of the non-SIS II related acquis in the new Member States (2006)
- Evaluation of SIS II related acquis in the new Member States (after SIS II operational - 2007)
- Adoption of the Council Decision on the lifting of controls at the borders with and between the new Member States (2007)
- Proposal for supplementing existing Schengen evaluation mechanism with a supervisory mechanism (as soon as the abolition of controls of persons at internal borders in the new Member States has been completed) (2007-2008)
- Establishment of an integrated management system for external borders
- Proposal on teams of national experts to support Member States in the control and surveillance of external borders within the framework of the Border Management Agency (2005)
- "Handbook for Border Guards" (after adoption of the Community Code on the rules governing the movement of persons across borders)
- Proposal on the executive powers conferred to Member States' officials operating at the external borders of another Member State (2006)
- Evaluation report on the External Border Agency, including a review of the tasks of the Agency and an assessment of whether it should concern itself with other aspects of border management (including the evaluation of the functioning of the teams of national experts and the feasibility of a system of European border guards) (2007)
- Establishment of an External Borders Fund (2007)
- Partial application of the Schengen acquis
- Adoption of the Council Decision on the partial implementation of the Schengen acquis by Ireland (2005)
- Adoption of the Council Decision on the partial implementation of the Schengen acquis (SIS) by the United Kingdom (2005)
- Coherent approach and harmonised solutions in the EU on biometric identifiers and data

- Proposal modifying the Common Consular Instructions concerning standards and procedures for taking biometric data, including the obligation to provide such data and specifying the exceptions to this obligation (2005)
- Preparation for the development of minimum standards for national ID-cards (from 2005 onwards)
- Preparation for the development of minimum standards for sectors' specific ID-cards, if appropriate (from 2005 onwards)
- Integration of biometric identifiers in travel documents, visa, residence permits, EU citizens' passports and information systems (2006)
- Communication on enhanced synergies between SIS II, VIS and Eurodac (2006)
- Visa policy, including the development of the Visa Information System (VIS)
- Meetings with third countries of the positive visa list in order to ensure visa-free travel for citizens of the Member States to all those third countries (ongoing, to be combined with the review of the visa list)
- Proposals relating to the necessary amendments to further enhance visa policies and the establishment of common application centres for visas (2005)
- Regular review of the visa list (Regulation 539/2001) (regularly)
- Proposal on visa facilitation procedures for members of the Olympic Family – Turin 2006 (2005)
- Report on the implementation of Regulation 1295/2003 "Visa facilitation procedures for members of the Olympic Family – Athens 2004" (2005)
- Proposal amending the Common Consular Instructions on visa fees (2005)
- ARGO Work Programme (2005 and 2006)
- Proposals on transit: unilateral recognition of Schengen documents by the new Member States/recognition of Swiss residence permits by the Member States (2005)
- Recommendation for negotiation directives for visa waiver agreements between the EC and the third countries on the conditions to move freely within the Union for a period between three and six months (2005)
- Adoption of a proposal establishing a regime on local border traffic (2005)
- Report on the operation of the Kaliningrad transit scheme (2005)
- Kaliningrad facility[11] (2005-2006)
- Schengen Facility for seven Member States (2005 and 2006)
- Specific recommendations for negotiating directives on visa facilitation with third countries in the context of the EC readmission policy, where possible and on the basis of reciprocity, in view of developing a real partnership on migration management issues (2005-2009)
- Proposal modifying the Common Consular Instructions on local consular cooperation (2006)
- Proposal on the review of Common Consular Instructions (2006)
- Technical implementation of the VIS, starting with the functionalities for processing alphanumeric data and photographs (2006) and adding the functionalities for biometric data (2006)
- Proposal on the creation of common consular offices (2007)

3. STRENGTHENING SECURITY

- Framework Programme "Security and Safeguarding Liberties" under the new Financial Perspectives (2005)
- Specific Programme on "Prevention of and fight against crime" (2007)
- Specific Programme on "Prevention, Preparedness and Consequence Management of Terrorism" (2007)

3.1. Sharing of information among law enforcement and judicial authorities while striking the right balance between privacy and security

- Proposal on the retention of data processed in connection with the provision of public electronic communication services for the detection, investigation and prosecution of criminal offences (2005)
- Identification of adequate safeguards and effective legal remedies for the transfer of personal data in the context of police and judicial co-operation in criminal matters
- Implementation of the principle of availability for the exchange of law enforcement information
- Proposal on the establishment of a principle of availability of law enforcement relevant information (2005)
- Proposal on adequate safeguards for the transfer of personal data for the purpose of police and judicial co-operation in criminal matters (2005)
- Proposal concerning a common EU approach to the use of passengers data for border and aviation

security and other law enforcement purposes (2005)

- Proposal on access by law enforcement to the VIS (2005)
- Development of links between the SIS II and the Europol information system (2007)
- Joint review on the Air Passengers Data (PNR) agreement with the USA (2005)
- Completion of negotiations of PNR agreements with Canada and Australia (2005), and with other countries if necessary
- Definition of international guidelines ensuring a high degree of protection of privacy for the access to PNR data in the framework of International Civil Aviation Organisation (ICAO)
- Proposal on mutual consultation of DNA Databases (2005)
- Proposal on mutual consultation of fingerprint databases (2007)
- Proposal for a general Community architecture on forensic/police databases (2008)

3.2. Terrorism

- Establishment of a coherent overall approach to combat terrorism
- Follow-up to the pilot project in favour of victims of terrorism (2006)
- Reinforcement of cooperation between law enforcement authorities to combat terrorism through the designation of a specialised contact point in each Member State, which will have access to all relevant information and intelligence with respect to terrorist activities involving persons, groups or entities listed in the annex to common position 2001/931/CFSP (2005)
- Creation of a European Law Enforcement Network (LEN) for the fight against terrorism (2005)
- Communication on greater security of explosives, bomb-making equipment (2005)
- Second terrorism report (2005)
- Communication on violent radicalisation (2005) and follow-up actions if needed (2007)
- Proposal for preventing misuse of charitable organisations for the financing of terrorism (2006)
- Communication on results of the peer evaluation mechanism on terrorism in the 25 Member States (2006/2007)
- Definition of need and scope for legal instruments to ensure that all Member States can freeze assets of designated persons on a preventive basis in accordance with Special Recommendations of the Financial Action Task Force (2007)
- Contribution to the on-going work on thwarting the production and spread of chemical, nuclear and biological arms (2007)
- Establishment of a specific Programme on "Prevention, Preparedness and Consequence management of Terrorism" (2007)
- Review and adaptation of Community legislation in parallel with measures to be adopted in order to combat terrorism
- Second report based on Article 11 of the Council Framework Decision of 13.6.2002 on combating terrorism (2005)

3.3. Prevention of and fight against organised crime

- Communication on developing a strategic concept on tackling organised crime (2005)
- Establishment of a specific Programme on "Prevention of and fight against crime" (2007)
- Improve the knowledge of organised crime and strengthen the gathering and analysis of information
- Communication on an action plan - EU Crime statistics (2005)
- Commission staff working paper on criminal intelligence-led law enforcement (2005)
- Recommendations for a standard methodology for vulnerability in crime proofing (2007)
- Presentation of a European Crime report (2007)
- Strengthen prevention of organised crime
- Crime-proofing of legislation and the design of crime preventive measures into products and services (2005)
- Report on the results of a study further to the Council resolution of 2001 on the contribution of civil society in finding missing or sexually exploited children (2005)
- Action Plan on private/public partnerships to protect public organisations and private companies from organised crime (2006)
- Improving European coordination and cooperation between high-tech crime units in Member States, and with the private sector (Cyber crime Intelligence Network) including the development of a European Cyber crime manual (2006)

- Communication on cyber crime and cyber security policy (2006)
- Anti-corruption measures:
- Development of codes of conduct on ethics and integrity for public officials (2007)
- Proposal introducing certain obligations on officials with regard to reporting bribery as well as the disclosure of assets and business interests (2008)
- Strengthen tools to address financial aspects of organised crime
- Initiatives to promote use of financial investigation as a law enforcement technique and to establish common minimum training standards (2005-2007) :
- Common set of training standards in financial investigation skills (2005)
- Recommendation for a Memorandum of Understanding regarding feedback from financial intelligence units to reporting bodies on suspicious transaction reports (2006)
- Recommendation and/or proposal to enhance transparency of legal entities to reduce vulnerability to infiltration by organised crime (2006)
- Promotion of the establishment of criminal asset intelligence units in EU Member States (continuous)
- Examination of standards for the return of confiscated or forfeited assets as compensation or restitution to identifiable victims of crime or charitable organisations (2008)
- Improve legislation and review existing legal instruments where needed
- Legislative package on the fight against counterfeiting (2005)
- Communication on trafficking in human beings (2005)
- Review and, where appropriate, further development of the present legislation on trafficking in human beings, for example in order to facilitate public-private cooperation, EU wide coordination and the involvement of Europol (2006)
- Review and, where appropriate, further development of the legal framework preventing and combating trafficking in human organs, tissues and cells (2006)
- Review and , where appropriate, strengthening of the present legislation on confiscation of criminal assets, whether or not requiring criminal conviction (2007)
- Comparative study to evaluate the need for instruments to combat activities of Organised Crime related to Fiscal Fraud within EU Member States and acceding and candidate countries' (2005)
- Proposal for the approximation of legislation in criminal matters, in particular regarding the constituent elements of an penalties in the field of tax fraud or on standards and best practices for the purpose of improving law enforcement cooperation in the fight against organised tax fraud(2007)
- Proposal on identity theft and identity management measures including a database of identity documents (2007)
- Study and research towards further approximation of legislation, e.g. in the fields of illicit arms trafficking, racketeering and extortion (2008)
- Improve monitoring and evaluation
- Second report based on Article 6 of the Council Framework Decision of 26 June 2001 on money laundering, the identification, tracing, freezing, seizing and confiscation of instrumentalities and the proceeds of crime (2005)
- Second report based on Article 14 of the Council Framework Decision of 28 May 2001 combating fraud and counterfeiting of non-cash means of payment (2005)
- Implementation report Framework Decision "Private sector corruption" (2005)
- Report on the implementation of the Framework Decision of 27 January 2003 on Protection of the environment through criminal law (2005)
- Report on the implementation of the Framework Decision on Confiscation of Crime-Related Proceeds, Instrumentalities and Properties (2007)
- Evaluation regarding Member States' implementation of customs cooperation (Naples II Convention) (2008)
- Evaluation regarding Member States' anti-corruption policies (2009)
- Evaluation regarding measures to combat financial crime (2010)

3.4. Police and customs cooperation

- Implementation of the work programme concerning customs cooperation approved by the JAI Council on 30.3.2004 following the Council Resolution of 2.10.2003 on a strategy for customs cooperation (2004-2006)
- Communication on the fight against the illicit cross-border trafficking in restricted or prohibited goods (2007)

- Proposal on Europol, including the role of the European Parliament and national parliaments in the scrutiny of Europol's activities (no later than 1 January 2008)
- Definition of a policy on the relationship between Europol and Eurojust (no later than 2008)
- Definition of the role of the security committee (COSI) (no later than 1 January 2008)
- Improvement of law enforcement co-operation and
- Development of the Schengen acquis in respect of cross-border operational police cooperation
- Proposal on improvement of law-enforcement co-operation in particular at the internal borders between Member States (2005)
- Communication and proposal for a Directive on improved transport safety and increased security through the creation of an area of police and judicial cooperation on the Trans European transport Networks (2005)
- Updating of the SIRENE manual (2005)
- Proposal on access by law enforcement to the VIS (2005)
- Development of links between the SIS II and the Europol information system (2007)
- Common quality standard rules (police ethics, monitoring programmes) regarding police (2008)
- Harmonisation of the quality standards of forensic laboratories (2008)
- Systematic exchange programmes for law enforcement officers' authorities
- Adoption of the proposal aimed at establishing CEPOL (European Police College) as a body of the Union (2005)
- Improvement of operational cooperation between law enforcement authorities of one Member State with the other Member States
- Set up short-duration joint customs and police operations and/or multidisciplinary joint teams (continuous)
- Elaboration of minimum standards for the cross-jurisdictional use of investigation techniques (2006)
- Best practice guide for the promotion and expansion of the use of special forms of cooperation for customs administrations as provided by the Naples II Convention (2007)
- Improvement of the European cooperation between anti-corruption bodies by setting-up a network between anti-corruption authorities (including police, judicial, prosecutorial and customs) at EU and transnational level (2008)

3.5. Management of crisis within the European Union

- Commission Decision creating a secure general rapid alert system (ARGUS) and a Commission Crisis Centre to coordinate existing alert systems (2005)
- Proposal creating a Critical Infrastructure Warning Information Network (CIWIN) (2005)
- Plan on the protection of critical infrastructures (2005)
- Integrated EU crisis management arrangements (to be implemented by 1 July 2006)

3.6. General crime prevention

- Developing the European Crime Prevention Network (2005)

4. STRENGTHENING JUSTICE

- See also Framework Programme "Fundamental Rights and Justice" under the new Financial Perspectives (2005)

- Specific Programme on Judicial Cooperation in Civil and Commercial Matters (2007)
- Specific Programme on Judicial Cooperation in Criminal Matters (2007)

4.1. Confidence building and mutual trust

- Enhancing cooperation
- Support by the Union to networks of judicial organisations and institutions (continuous)
- Continuation of the development of the web site of the European Judicial Network and of the databases on the European instruments case law (continuous)
- Constant updating and improvement of the European Judicial Atlas (continuous)
- Annual celebration of the European Day of Civil Justice (continuous)
- Creating a "European Judicial culture"
- Evaluation of quality of justice (Communication - 2006)
- Communication from the Commission on judicial training in EU (2005), continuation of the pilot project for exchange of magistrates (2005) and Preparatory action (2006)

- Creation, from the existing structures, of an effective European training network for judicial authorities for both civil and criminal matters (2007)
- Developing networking of judicial organisations and institutions
- Report on the functioning of the European Judicial Network in civil and commercial matters (2005) and proposal for amendment, as appropriate (2006)
- EU workshops to promote cooperation between members of the legal professions with a view to establishing best practices (2006)
- Coherence and better quality of EU legislation
- Proposal for the amendment of Regulation 1348/2000 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (2005)
- Report on the functioning of the Regulation n° 1206/2001 on the taking of evidence and proposal for amendment, as appropriate (2007)
- Report on the functioning of "Brussels I" Regulation (2007) and proposal for amendment, as appropriate (2009)
- Final research report including a draft Common Frame of Reference (2007)
- Adoption of Common Frame of Reference (CFR) in EU contract law (2009 at the latest)

4.2. Judicial cooperation in criminal matters

- Establishment of a specific Programme on Judicial Cooperation in Criminal Matters (2007)
- Pursuing the implementation of the mutual recognition principle:
 - Communication on mutual recognition of decisions in criminal matters and reinforcement of mutual trust between Member States (2005)
 - White Paper on the exchanges of information on convictions and the effect of such convictions in the EU (2005)
 - Proposal on taking into account of convictions in the Member States of the European Union in the course of new criminal proceedings (2005)
 - Proposal on the transmission to, and keeping by, the Member State of nationality of information on criminal convictions (2005)
 - Communication on the creation of an index of non EU nationals convicted in a EU Member State (2005)
 - Initiative on the European Enforcement Order and the transfer of sentenced persons between Member States of the EU (2005)
 - Proposal on mutual recognition of non-custodial pre-trial supervision measures (2005)
 - Communication on disqualification (2005)
 - Report on the implementation of the Framework Decision on the European arrest warrant and the surrender procedures between Member States (2005)
 - Initiative on the recognition and enforcement in the European Union of prohibitions arising from convictions for sexual offences committed against children (2005)
 - Proposal on driving disqualifications (reformatting 1998 Convention) (2006)
 - Report on the implementation of the Framework Decision of 22.7.2003 on the execution in the EU of orders freezing property or evidence (2006)
 - Report on the implementation of the Framework Decision on the application of the principle of mutual recognition to financial penalties (2006)
 - Proposal on recognition and execution of alternative sanctions and on suspended sentence (2007)
 - Proposal completing the European Evidence Warrant (2008)
- Approximation
 - Green Paper on Conflicts of Jurisdiction and Double Jeopardy (ne bis in idem) (2005)
 - Green Paper on presumption of innocence (2005)
 - Second report on the implementation of the Framework Decision of 15.3.2001 on the standing of victims in criminal proceedings (2005)
 - Third report on the Framework Decision of 15.3.2001 on the standing of victims in criminal proceedings (2006)
 - Proposal on conflicts of jurisdiction and the ne bis in idem principle (2006)
 - Green Paper on handling of evidence (2006)
 - Green Paper on default (in absentia) judgements (2006)
 - Proposal on minimum standards relating to the taking of evidence (2007)

- Proposal on default judgements (in absentia) (2007)
 - Proposal on the approximation of sectoral criminal sanctions (no later than 2007)
 - Others instruments in the field of judicial cooperation in criminal matters:
 - Recommendation on minimum standards for capturing and exchanging electronic evidence (2006)
 - Proposal on the wilful destruction of documentary evidence (2007)
 - Proposal on the protection of witnesses and collaborators of justice (2007)
 - Study on the cross-border use of intelligence as evidence (2008)
 - Evaluation of the efficiency of specialised judicial bodies for dealing with the investigation of cases linked to organised crime (2009)
 - Eurojust
 - 2nd report on the legal transposition of the Council Decision of 28.2.2002 setting up Eurojust (2005)
 - Proposal on Eurojust (no later than 1 January 2008)
 - White Paper on enhancing the protection of the Union's financial interests (by 2009)
- 4.3. Strengthening efficiency of justice and improving mutual recognition and effective access to justice in civil matters
- Green Paper on successions (2005)
 - Green Paper on conflict of laws and jurisdiction on divorce matters (Rome III) (2005)
 - Proposal on conflicts of laws regarding contractual obligations (Rome I) (2005)
 - Proposal on small claims (2005)
 - Proposal on maintenance obligations (2005)
 - Adoption of the "Rome II" proposal on conflicts of laws regarding non-contractual obligations (2006)
 - Adoption of the Payment Order Regulation (2006)
 - Adoption of a Directive on Alternative Dispute Resolution (ADR) - mediation (2006)
 - Green Paper on property consequences of matrimonial relations and partnerships (2006)
 - Green Paper(s) on the effective enforcement of judicial decisions (2006-2007)
 - Green Paper on the abolition/reduction of legislation and administrative measures for the free circulation of documents (2007)
 - Green Paper on mutual recognition in matters related to Civil Status (2008)
 - Green Paper on minimum standards for some aspects of procedural law (2008)
 - Evaluation of the possibility of the suppression of exequatur and legislative proposals, as appropriate (2008-2010)
 - Establishment of a specific Programme on Judicial Cooperation in Civil and Commercial Matters (2007)
- 4.4. International legal order
- Conclusion of negotiations relating to the convention on the choice of forum (2005)
 - Proposal for the conclusion of the so-called "parallel agreements" with Denmark on "Brussels I" and service of documents (2005)
 - Negotiation of the Convention on Terrorism in the Council of Europe (2005)
 - Active involvement of the activities of the Council of Europe and other international organisations and fora (G8, UN, OECD, OSCE, FATF) in criminal matters (2005-2009)
 - Examination of the case for bilateral agreements between the EU with third countries on extradition (2005-2009)
 - Examination of the case for bilateral agreements between the EU with third countries on mutual legal assistance (2005-2009)
 - Proposal on the conclusion and on the signature of the Council of Europe Convention against money laundering and terrorist financing on behalf of EC (2005/2006)
 - Accession of the Community to the Hague Conference on private international law (2006)
 - Proposal for the conclusion of a new Lugano Convention (2006)
 - Inclusion of provisions on counter-terrorist assistance in proposed revision of existing instruments governing external assistance (2006)
 - Proposal on conclusion of the United Nations Convention against Corruption on behalf of the EC (2006)
 - Conclusion of negotiations relating to the convention on maintenance obligations (2007)
 - Proposal on conclusion of the United Nations Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components, and ammunition on behalf of the EC (2007)

5. EXTERNAL RELATIONS

- Strategy on all the external aspects of the Union policy on freedom, security and justice, based on the measures developed in the Hague programme (2005)

- Communication on all the external aspects of the Union policy on freedom, security and justice (mid-2005 – contribution to the Strategy).

[1] "Area of Freedom, Security and Justice: Assessment of the Tampere Programme and future orientations" - COM(2004) 401, 2.6.2004.

[2] COM(2005) 45, 14.2.2005.

[3] It is worth noting that the notion of freedom covers all parts of this Action Plan. For the purposes of this document, however, freedom reflects the specific meaning contained in the Hague Programme.

[4] COM(2005) 122, 123 and 124, 6.4.2005.

[5] "Area of Freedom, Security and Justice: Assessment of the Tampere Programme and future orientations" - COM(2004) 401, 2.6.2004.

[6] "European Parliament recommendation to the Council and to the European Council on the future of the area of freedom, security and justice as well as on the measures required to enhance the legitimacy and effectiveness thereof" - P6_TA(2004)0022, 14.10.2004.

[7] Council Decision 2004/927/EC of 22 December 2004 providing for certain areas covered by Title IV of Part Three of the Treaty establishing the European Community to be governed by the procedure laid down in Article 251 of that Treaty (OJ L 396, 31.12.2004, p. 45).

[8] "Strategic objectives 2005-2009, Europe 2010: a partnership for European renewal" - COM(2005) 12, 26.1.2005.

[9] This Fund will be complementary to the European Social Fund.

[10] In addition, complementary activities are undertaken in the framework of the European Employment Strategy and the Social Inclusion Process.

[11] The Kaliningrad Facility will be replaced by specific provisions within the proposed External Border Fund for the period 2007-2013 as part of the framework programme "Solidarity and the Management of migration flows".