

# Towards an Internal (In)security Strategy for the EU?

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## **Abstract**

The European Commission published in November 2010 a Communication aiming at putting the EU Internal Security Strategy (ISS) into action. The Communication envisages five key strategic objectives for the EU's internal security: disrupt organised crime, prevent terrorism, raise levels of security in cyberspace, strengthen external borders management and increase the EU's resilience to natural disasters. This paper starts by critically examining the extent to which these objectives actually constitute shared common concerns in all EU27 member states and whether they are based on independent and objective evidence. After demonstrating the contrary, we then argue that the ISS should be rather considered as an 'Internal (In)security Strategy' because of the lack of an accompanying solid rule of law and liberty strategy (model) focused on ensuring the delivery to everyone living in the EU (and who will be subject to increasing EU internal security policies focused on more surveillance, preventive measures and an intelligence-based approach) the twin rights of rule of law and fundamental rights.

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# Towards an Internal (In)security Strategy for the EU?

Elspeth Guild and Sergio Carrera\*

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## Introduction

The EU Internal Security Strategy (ISS) was adopted by the Council in February 2010 under the auspices of the Spanish Presidency with a view to setting out a common European Security Model.<sup>1</sup> This initial document followed the entry into force of the new treaty setting of the EU, brought about by the entry into force of the Lisbon Treaty and the Stockholm Programme setting out the new five-year plan for the development of the EU's Area of Freedom Security and Justice (AFSJ) in December 2009. The AFSJ was created by the Amsterdam Treaty amendments to the EU treaties in 1999. In its original form, the AFSJ comprised the fields of borders, immigration, asylum and judicial cooperation in civil matters in a legally binding form (previously called the EU's "first pillar"), and policing, terrorism and judicial cooperation in criminal matters in the more intergovernmental venue of the EU (formerly known as the "third pillar"). The Lisbon Treaty formally abolished the old pillar structure in Justice and Home Affairs (JHA) policies and brought (to varying degrees and subject to several exceptions) the different policy fields of the AFSJ into one fairly homogeneous legal and institutional framework. The Commission published in November 2010 a Communication titled 'The EU Internal Security Strategy in Action: Five steps towards a more secure Europe' which identifies 'the most urgent challenges' to EU security in the years to come and proposes a shared agenda of common strategic objectives and specific actions for the implementation of the ISS between 2011 and 2014.

The Stockholm Programme stressed that it "is of paramount importance that law enforcement measures, on the one hand, and measures to safeguard individual rights, the rule of law and international protection rules, on the other, go hand in hand in the same direction and are mutually reinforced."<sup>2</sup> Do the ISS and the Commission Communication 'putting it into action' fulfil this political priority? This paper argues to the contrary. Both official documents illustrate how the insecurity concerns enshrined in the ISS are attempting to take over the EU's AFSJ agenda. Justice is relegated second to the service of security, and individuals' security and liberty remain absent from the overall objectives of the strategy. The concrete steps presented by the Commission Communication exclusively serve 'internal security' purposes and interests, an approach that positions rule of law and fundamental rights (aside from formalistic sentences and announcements) at the margins. The Communication advocates a predominant 'Home Affairs model', based on a number of 'common threats' that the Union allegedly faces globally and that are said to justify the further integration of security cooperation at EU level in both operations and substance. This home affairs model proposed by the Directorate General Home

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<sup>1</sup> Council of the EU, Draft Internal Security Strategy for the European Union: Towards a European Security Model, Brussels, 23 February 2010, 5842/2/10.

<sup>2</sup> Council of the EU, The Stockholm Programme: An Open and Secure Europe serving and protecting Citizens, 5731/10, Brussels, 3 March 2010, page 9.

Affairs of the Commission has not been accompanied by (and in our view remains in tension with) a credible and sound EU citizenship, fundamental rights and justice strategy meeting the liberty-related challenges that a majority of the ISS objectives and policy proposals (especially those related to a proactive, intelligence-based approach and a model for information exchange as well as the call for further operational integration of EU security agencies) will increasingly create to a Europe of law, justice and rights. This, we argue, will constitute one of the main challenges for Europe's future which remains unresolved. Moreover, the ISS and the Commission's vision outlined in the Communication demonstrate that the old third-pillar spirit and intergovernmental ways of thinking and working (police-led, secretive and unaccountable) are still very much in favour and can be expected to be expanded through their practical implementation.

This Policy Brief constitutes a revised version of written evidence submitted by the Justice and Home Affairs Section of CEPS to the inquiry currently carried out by the Select Committee on the EU of the UK House of Lords into the Internal Security Strategy. It starts by providing an overview of the objectives, principles and guidelines for action outlined in the ISS. The Commission Communication putting the ISS into action, and its five key strategic objectives (organised crime, terrorism, cybercrime, external borders and natural disasters) is examined in Section two. To what extent are these issues shared common concerns in all EU 27 member states and based on available evidence? Section three concludes by addressing the question of the extent to which the ISS will make the EU more secure or insecure, and it recommends to the European Commission to develop a solid rule of law and liberty strategy.

## **1. The Internal Security Strategy: The old Third Pillar through the back door?**

The objective of the EU's ISS is to establish a shared agenda on internal security that enjoys the support of all the member states, the EU institutions, civil society and local authorities, and interestingly enough, the EU security industry. What the ISS does *not* include are institutions and issues that are associated with external security, such as the military, defence and international relations. The ISS identified a number of principles and guidelines for action in pursuit of a 'European security model'.<sup>3</sup> The principles included:

- a. Justice, freedom and security policies which are mutually reinforcing whilst respecting fundamental rights, international protection, the rule of law and privacy;
- b. Protection of all citizens, especially the most vulnerable;
- c. Transparency and accountability in security policies;
- d. Dialogue as the means of resolving differences in accordance with the principles of tolerance, respect and freedom of expression;
- e. Integration, social inclusion and the fight against discrimination;
- f. Solidarity between EU member states; and
- g. Mutual trust.

On the basis of these principles, the ISS provided a number of guidelines for action "to guarantee the EU's internal security", which inter alia included a proactive (intelligence-led) approach driven by prevention and anticipation, the reinvigoration of information exchange between law enforcement authorities through the use of EU databases as well as an improved

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<sup>3</sup> Council Document 5842/2/2010, Internal Security Strategy for the European Union: Towards a European Security Model.

operation cooperation between EU security agencies (Europol, Eurojust, Ceuol, Sitcen and Frontex) and ensuring stringent coordination between them by the Standing Committee on Operation Cooperation on Internal Security (COSI). The only guideline presented by the ISS that even partially dealt with rule of law-related aspects was entitled “Ensuring the effective democratic and judicial supervision of security activities”. The latter referred in rather general terms to the importance of the involvement of the European Parliament and national parliaments, and referred to the EU’s accession to the European Convention on Human Rights.<sup>4</sup> Apart from that, the ISS did not specify the actual ways in which the specific guidelines were going to constitute an implementation of the above-mentioned general principles. Moreover, as we will develop in the next Section, the Commission Communication putting the ISS into action has gone even further by completely neglecting the fundamental rights and rule of law dimensions amongst its five strategic objectives.

The Treaty of Lisbon and the Stockholm Programme have provided the legal and political impetus for the ISS to be developed and implemented. The Commission Communication thus comes indeed at a moment when there is much clearer responsibility within the EU institutions on competence for internal security generally; the framework of member state/EU institution activity is more precisely delineated and the balance of powers among the EU institutions following the augmentation of the European Parliament’s competences by the Lisbon Treaty is beginning to become apparent. That notwithstanding the new institutional and legislative framework provided by the Treaty of Lisbon has not meant a formal end to the third pillar ‘way of working and thinking’ on issues of security at EU level. On the contrary, when reading the ISS and the Communication aiming at putting it into action, it appears as if the old third pillar spirit is not only very much present but it is also now contaminating other (formerly considered) first pillar areas, such as for instance those of external border controls and migration/asylum policies as well as agencies such as Frontex. The ‘depillarization’ emerging from the Lisbon Treaty is allowing for the extension of the police and insecurity-led (intergovernmental) approach to spread over the entire EU’s AFSJ and not – as it might have been originally expected – the other way around (the Community method of cooperation logic to expand over internal security matters). This, of course, raises concerns over the greater effectiveness, democratic accountability and judicial control as well as rule of law/fundamental rights consequences that the end of the pillar divide in JHA policies was expected to bring at EU level and that seem to be now at stake.

The former ‘third pillar’ policies (police and criminal justice) are amongst those in the new Title V of the Treaty on the Functioning of the European Union (TFEU) where more exceptions to the general rules and ‘flexibility’ mechanisms have been allowed in European cooperation. This will further enhance the intergovernmental and ‘police-led’ motif of future EU security measures. Not only the maintenance of law and order and the safeguarding of internal security remain exclusively a matter of national competence under the Treaties, but there are a number of important derogations from the expansion of the Community method of cooperation over these domains. As a way of illustration, “cooperation between police, customs and other specialized law enforcement services in relation to the prevention, detection and investigation of criminal offences” remains under unanimity and mere consultation with the European Parliament. This goes along with the possibility offered to EU member states to use ‘emergency brakes’ and/or enhanced cooperation (such as for instance in relation to the setting up of the

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<sup>4</sup> Similarly in the Commission Communication “The EU Counter-Terrorism Policy: Main Achievements and future Challenges, COM(2010) 386 final, Brussels, 20.7.2010, the respect for fundamental rights was identified as an ‘horizontal issue’ in the implementation of the strategy, for instance in what concerns the protection of personal data and the effects on vulnerable groups. See page 11 of the Communication. This element however has not been either incorporated in the Communication putting into action the ISS.

European Public Prosecutor Office). Or the limited jurisdiction of the Court of Justice to review the validity and proportionality of operations carried out by the police and other law-enforcement authorities and the Protocol 36 on Transitional Provisions (Article 10).<sup>5</sup> Overall, the exceptions permitted by the Treaty of Lisbon on EU AFSJ (security) policies will not only allow for the continuation of ‘Third Pillar’ ways of working in JHA domains. It is also expected to increase the insecurity and vulnerability of the individual, which depending on her/his geographical location in the EU will be facing different degrees of European rights and freedoms.

## **2. The Communication putting the ISS into Action: An evidence-based and shared agenda?**

The Commission’s position on an EU ISS presented in the Commission Communication The EU Internal Security Strategy in Action: Five steps towards a more secure Europe (COM(2010)673) of 22 November 2010 commences with a series of arguments that move in one direction only: first, there is a need for ‘more security’ (never defined but quite clearly not including social security), and secondly the EU27 member states share a common framework based on convergence of ‘security threats’ which provides the objective framework for a common ISS.

These assumptions need to be examined on the basis of the available evidence. One shortcoming of the Communication is a tendency for assertions about factual matters to be included which lack any indication of the evidential basis on which they repose. It is critically important that the EU develop policy on the basis of the best research, analysis and evidence available in whichever field is under discussion. Indeed, the EU itself is an important actor in funding research on all the areas of its competences (and many others) which is carried out at universities and research institutes across the world. Much EU (social sciences) research attention and funding has been directed at security-related issues. It would well behove the EU institutions (and particularly the European Commission) to examine this body of knowledge in the formulation of policy and to address the existing gap between the findings of these research projects and the ISS. It is also central that the EU continues to support independent social sciences and humanities research projects, which while perhaps not being ‘policy-driven’ (already-decided) by EU policy priorities of the day, might however be extremely ‘policy-relevant’ in pointing out main issues and dilemmas of these very policy choices, and offer independent evidence calling at times for a reconfiguration and reframing of the priorities and agendas.

As regards the issue of security and the people, we cannot resist commencing with what we call ‘the conundrum of security’: a middle-aged man finds himself in a foreign city late at night on a quiet street. He sees a policeman and he is reassured. The same man finds himself again on the same street late at night and sees two policemen walking together. He is reassured. The same man is once again on the street of the foreign city late at night and he sees 50 policemen coming towards him; he turns and runs as fast as he can in the opposite direction. The purpose of this anecdote is to set the stage – ‘more security’ is not always reassuring for the EU citizen.

The Communication continues by highlighting the importance it attaches to the rule of law, fundamental rights and the EU Charter of Fundamental Rights. The EU is indeed, according to its treaty, founded on the principle of rule of law and the respect for fundamental rights.

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<sup>5</sup> According to this provision, as a transitional measure, the powers of the Commission and the Court of Justice in relation to acts dealing with ‘police cooperation and judicial cooperation in criminal matters’ will continue to be ‘as they were’ in the EU Third Pillar for a period of five years after the entry into force of the Treaty of Lisbon.

Although the UK has a somewhat *sui generis* protocol which purports to limit the application of the EU's Charter of Fundamental Rights in the EU, as the Charter itself states that it does not more than bring together in one place rights which people already enjoy in the EU by virtue of other treaties, for the purposes of this submission, the exact status of the Charter in the UK is only marginally relevant. Sadly, the Communication does not return to this matter which is perhaps the most important one to consider. The sensitive issues that are dealt with in the Communication include a number which have been the subject of important judgments of the European Court of Human Rights (ECtHR) – for instance on privacy the decision in *S & Marper v UK*<sup>6</sup> where the ECtHR found the UK's DNA and other biometric information database inconsistent with the right to privacy in Article 8 ECHR. Similarly, the same court found, in *Quinton and Gillan v UK*,<sup>7</sup> that the wide anti-terrorism measures permitting the police stop and search powers unfettered by the need for a reasonable suspicion too wide to be compatible with the same provision of the European Convention on Human Rights (ECHR). More attention to the matter of correct application of fundamental rights duties of member states in the internal security policies would help states to avoid these errors in the application of their national policies.

The Commission identifies five key themes (strategic objectives) which form the pillars of the ISS and around which it is structured: 1. disrupt organised crime; 2. prevent terrorism; 3. raise levels of security in cyberspace; 4. strengthen external borders management; and 5. increase EU's resilience to natural disasters. The first question that needs to be addressed is the extent to which these five issues, all of which are concerns for at least some member states, are concerns for all EU member states and the extent to which the issues share common aspects in the 27 member states at all.

## 2.1. Organised Crime in the EU<sup>27</sup>

As regards organised crime, it is apparent that there are very wide differences regarding this across the member states. The EU Organised Crime Threat Assessment (OCTA) was established following the recommendation of the Hague Programme (the five-year plan for the AFSJ 2004-09).<sup>8</sup> In its 2009 report, it states that there are five criminal hubs with a wide influence on criminal market dynamics in the EU. These are the North West criminal hub which acts as a distribution centre for heroin, cocaine and synthetic drugs but influences the UK, Ireland, France Spain, Germany and the Baltic and Scandinavian countries. The South West hub is formed around the Iberian Peninsula and the issues for this hub are cocaine, cannabis, trafficking in human beings and illegal immigration. The North East hub, which borders the Russian Federation, and Belarus, engages in human trafficking (women for sex) irregular immigrants, cigarettes, counterfeit goods, synthetic drugs and heroin. The Southern criminal hub is based in Italy; where in addition to drugs and irregular migration it is involved in genuine and counterfeit cigarettes and the production and distribution of counterfeit euros. The South East criminal hub centred in Bulgaria and Romania is involved in drugs, heroin, counterfeit euros and payment card fraud.<sup>9</sup> What is interesting from this summary for the purposes of the ISS around organised crime are the wide differences across the EU, which are evident even in a report designed to highlight synergies and homogeneity in the Union. There is clearly much competition in the field of organised crime and different parts of the EU face very different

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<sup>6</sup> Case numbers 30562/04; 30566/04; 4 December 2008.

<sup>7</sup> Case number 4158/05; 12 January 2010.

<sup>8</sup> Brussels European Council, Presidency Conclusions, 4 and 5 November 2004, 14292/1/04, Brussels, 8 December 2004, Annex I, "The Hague Programme: Strengthening Freedom, Security and Justice in the European Union", point 1.5. 2005/C53/01, OJ C53/1, 3.3.2005.

<sup>9</sup> Europol, OCTA 2009 pp 13 – 15.

challenges. Any one-size-fits-all approach to policy is therefore likely to be highly counterproductive.

## 2.2. Terrorism in the EU

Turning then to terrorism, there do not appear to be very many member states that are touched by terrorist acts and those that are appear to be concerned primarily with local terrorism. According to TE-SAT 2010, the EU's Terrorism Situation and Trend Report,<sup>10</sup> in 2009, six member states<sup>11</sup> reported a total of 294 failed, foiled or successfully perpetrated terrorist attacks and the UK reported 124 attacks in Northern Ireland. Only one 'Islamist' attack was reported (in Italy), while France reported 89 Separatist attacks and Spain 148. The next largest category of attacks was under the heading 'Left Wing' with 15 in Greece and 23 in Spain. Clearly, the vast majority of terrorist acts reported in the member states relate to various separatist groups active primarily in particular parts of the affected member states. The issues are so intricately related to specific local or national political issues which are only fully accessible to the national and local authorities that to call terrorism in the EU a common issue is problematic. Certainly there is political violence in the EU, but a single common approach is unlikely to capture the specificities of the national and local situations. Further it is an issue that affects less than a third of the member states which raises questions about the appropriateness of EU budgetary expenditure on the subject.

## 2.3. Cybercrime and the EU

Data regarding cybercrime are fairly limited. The Commission produced a Communication towards a general policy on the fight against cybercrime in 2007,<sup>12</sup> in which it most helpfully sought to clarify what it is (including computer crime, computer-related crime, high-tech crime and other possible synonyms). Most importantly, it covers traditional forms of crime (such as forgery and fraud) carried out over electronic communications networks, the publication of illegal content and crimes to electronic networks such as attacks on information systems, denial of service and hacking. The Commission, rightly, identified the problem as one for the criminal justice systems of the member states as the issues that hamper coercive action against cybercrime relate to the jurisdictional limitations of criminal justice systems. The Communication also recognizes that by its very nature, cybercrime is not limited to member states but may commence on the other side of the world. It can only be classified as crime if the places where it takes place have in their criminal code offences that encompass the activities which some EU member states consider crimes. The current situation regarding the 2010 WikiLeaks revelations, which are subject to very different legal regimes depending on which country is host to the WikiLeaks activities, highlights the problem.

The private sector is particularly engaged with this aspect of the ISS. Cybercrime is most problematic for industry, although of course it touches citizens as well. The Commission's Communication finishes with an ambitious list of activities to be undertaken. However, according to the Council's document base, not much appears to have happened. There are Conclusions in September 2008 which call for a working strategy against cybercrime and enhanced public-private partnership regarding the issue. In 2009 the Dutch Delegation presented its position on fighting cybercrime which places particular importance on coordination of the action with the Council of Europe. However, on 14 and 15 June 2010, following a conference in

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<sup>10</sup> Europol, TE-SAT 2010 pp 6 – 8.

<sup>11</sup> Austria, France, Greece, Hungary, Italy and Spain.

<sup>12</sup> COM(2007) 267



The Hague, a European Union Cybercrime Task Force has been established under the aegis of Europol.

#### **2.4. The EU's External Borders**

For the UK, the issue of the external borders of the EU is a delicate matter as it does not participate in the EU's common actions and indeed is excluded from participation in the EU's external border agency Frontex. For the rest of the member states, the EU's external border commences at the UK's border. Thus common issues of border controls are somewhat irrelevant for the UK as regards to EU's Internal Security Policy as it is on the outside.

According to the Council, there were an estimated 355 million entries by persons into the Schengen area in 2009.<sup>13</sup> Of these people entering, about 105 million were third country nationals (approximately 61 million non-visa nationals and the rest visa nationals). According to Frontex, over the first three months of 2010, 14,200 detections of irregular external border crossings were reported.<sup>14</sup> A yearly figure on that basis is 56,800 irregular external border crossings. Further irregular border crossings in the first three months of 2010 dropped by 36% in comparison with the final quarter of 2009. The disproportionate nature of the two figures – the 61 million third country nationals who enter the Schengen area annually, against the approximately 56,000 people who are treated as entering irregularly most graphically indicates that border crossing by individuals is not a security issue in the EU. It is a matter of trade and tourism, industry and family relations. To the extent that there is a security dimension at all, this is in relation to travel infrastructure. The external border of the EU most properly facilitates the entry and exit of people who seek to enter the EU whether they are citizens of the Union or third country nationals. The number of people who are treated as inadmissible and thus seeking to enter irregularly is statistically insignificant. In an EU of over 500 million people, there is a real need for a sense of proportion regarding the policy area of irregular migration.

#### **2.5. Natural Disasters**

Natural disasters are a subject where there is perhaps greater scope for common approaches. The eruption of a volcano in Iceland certainly showed many EU citizens, wherever they were in the world, the need for more consistent and coherent consular protection and assistance in the face of such disasters. The fact that many EU citizens were stranded in far-off countries, were provided highly misleading information by government departments of some member states and felt abandoned by their authorities and unable to access the assistance of the authorities of other member states leads to the conclusion that we could do much better in this regard.

### **3. Conclusions: Towards a European Liberty Strategy**

A European ISS must be built on the basis of evidence and analysis of the security interests of the people of Europe as well as the added value and effects of new (internal security) policy strategies. It must not be promoted on the basis of a lack of information and data or a wilful misrepresentation of the available data. This has been also highlighted by the European Data Protection Supervisor (EDPS), which has called for a systematic approach in these areas (ensuring consistency and clear relations between all policies and initiatives in the area of home

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<sup>13</sup> Council Document 13267/09.

<sup>14</sup> FRONTEX, News release: Irregular immigration hits net low in first quarter of 2010, facilitator detections up 13%, 7 July 2010.

affairs and internal security) instead of an ‘incident-driven policy-making’.<sup>15</sup> Moreover, it may be easy for some parts of the media (and sadly also some EU leaders and politicians) to fan fears about irregular migrations, terrorist threats and organised crime among the people of Europe, but such irresponsible behaviour helps neither EU citizens to understand their world, nor policy-makers to promote sound and measured policy responses.

All five strategic objectives that the Commission Communication proposes as core pillars reveal substantial variations across the member states whether it regards relevance to some member states at all, fundamental heterogeneity or insignificance. This, in our view, challenges assertions referring to a common EU model on internal security. Another issue of concern is that the strategy proposed by the Council and followed up by the European Commission is to bring back (through the back door) the old ‘third pillar’ logic of cooperation on JHA (police and insecurity-driven policies) and spread it throughout the Freedom, Security and Justice domains, including policies and EU agencies dealing with migration, asylum and external borders.

Will the ISS make the EU more secure or insecure? The ISS offers little in terms of new or innovative policy initiatives towards meeting the challenges that the Union will increasingly face in delivering liberty and security to individuals across the EU. The field of an ISS which touches all member states and touches a central concern of the people of Europe is the one least developed in the specific actions – promoting the Rule of Law and fundamental rights as the central planks of an EU ISS. By not addressing these elements, the strategy will lead to more insecurity for the individuals subject to these public policy responses. In light of this, the strategy could therefore be re-labelled: the European Insecurity Strategy. Indeed, as the former UN Commissioner for Human Rights, Mary Robinson, has so eloquently explained, the essential element for any community to be secure is the uncompromising championship of Rule of Law and human rights. When people know that their rights are protected by law, law enforcement officials are secure in the knowledge that their actions are fully compatible with fundamental rights and the accused are guaranteed a fair trial, a truly effective ISS will be achieved. In such an environment, criminal gangs are unable to extort money from people as the police will defend the citizen, corrupt officials cannot prosper as the fundamental right of the citizen to transparency will uncover the corruption and law enforcement agents will act in the interest of the Rule of Law.

Formalistic statements on the way in which Europe guarantees and respects human rights and the rule of law are not enough and call for constant (evolving) efforts at meeting the liberty-related challenges posed by new EU and national public policy responses. The EU’s ISS should be built around the objective of delivering to everyone living in the EU the twin rights of Rule of Law and protection of Fundamental Rights. A solid rule of law and liberty strategy (model) should be jointly devised by the Directorate General of Justice, Citizenship and Fundamental Rights of the European Commission along with the one put forward on ‘insecurity’ by Home Affairs. Such a strategy should be not only focus on the development of better (fundamental rights) monitoring and – *ex ante* and *ex post* – evaluation of EU policies (and practices) and their national implementation.<sup>16</sup> It should also ensure a more integrated cooperation and coordination between EU (freedom) agencies, such as the European Agency for Fundamental Rights (FRA), the European Data Protection Supervisor (EDPS), the European Ombudsman, etc. The FRA should make use of its current (post-Treaty of Lisbon) powers to assess the ISS from a fundamental rights perspective and it should also see its competences expanded as

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<sup>15</sup> Opinion of the European Data Protection Supervisor (EDPS), on the Communication from the Commission “The EU Counter-Terrorism Policy: Main Achievements and Future Challenges, 24 November 2010, Brussels.

<sup>16</sup> See Commission Communication “Strategy for the effective implementation of the Charter of Fundamental Rights by the European Union”, COM(2010) 573 final, 19.10.2010.

regards independent and objective evaluation (not only research activities) of EU policies covering in particular the domains of police cooperation and criminal justice.<sup>17</sup> All this should go hand-in-hand with strengthening the democratic accountability (and EU parliamentary representativeness) in the activities and cooperation by EU security agencies and of the coordination role played by the COSI.

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<sup>17</sup> Refer to Proposal for a Council Decision amending Decision (2008/203/EC) of 28 February 2008 implementing Regulation (EC) No 168/2007 as regards the adoption of a Multi-annual Framework for the European Union Agency for Fundamental Rights for 2007-2012, COM(2010) 708 final, Brussels, 2.12.2010. The objective of this proposal would be destined to expand the FRA's tasks to these areas.

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