



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 13.4.2000
COM(2000) 167 final/2

CORRIGENDUM:

Annule et remplace
la version du 24. 3. 2000
Concerne uniquement
la version anglaise

**COMMUNICATION FROM THE COMMISSION
TO THE COUNCIL AND THE EUROPEAN PARLIAMENT**

**SCOREBOARD TO REVIEW PROGRESS ON THE CREATION OF AN AREA OF
“FREEDOM, SECURITY AND JUSTICE” IN THE EUROPEAN UNION**

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1. INTRODUCTION

The European Council meeting in Tampere on 15 and 16 October 1999 invited the Commission to make a proposal for an “appropriate **Scoreboard** mechanism” whose purpose would be to “keep under constant review progress made towards implementing the necessary measures and meeting the deadlines” set by the Treaty of Amsterdam, the Vienna Action Plan and the conclusions of Tampere for the creation of an “area of freedom, security and justice”.

In the meantime, Commissioner Vitorino has conducted a tour of capitals, and has held some preliminary discussions with the European Parliament as well as with representatives of other institutions. Furthermore, the fruitful discussion which took place at the informal meeting of Ministers of Justice and Home Affairs in Lisbon on 3 March also contributed positively to the increasingly growing consensus on the form and purpose of the Scoreboard.

1.1. Aims of the Scoreboard

In the Commission’s view, such a “**Scoreboard**” should be more than a purely mechanical instrument to facilitate the internal monitoring by the EU institutions of their progress in adopting the legislative and other instruments needed to establish the area of Freedom, Security and Justice. It should rather be, first and foremost, an instrument for helping to achieve an objective – the creation and development of the European Union as an area of freedom, security and justice – which itself belongs not to the institutions but to the citizens of the Union. But it cannot be achieved except as an exercise in partnership and cooperation involving not only all the institutions of the Union but also the Member States individually.

The **Scoreboard** should thus have three separate but related purposes:

- to ensure the significant degree of transparency that a project of such direct interest to citizens demands;
- to keep up the momentum generated by the Tampere European Council;
- to exercise pressure on any identified areas of delay so that those responsible are reminded of the need to rediscover the political commitment so clearly and repeatedly expressed by the European Council in this matter.

The components of the area of Freedom, Security and Justice and the timetable for achieving it, have already been examined at length and are set out in Treaty form by Amsterdam; in clear political guidelines by Tampere; and in considerable detail by the Vienna Action Plan. The Commission does not, of course, rule out that the transparent dialogue, to which it hopes a living document such as this **Scoreboard** will give rise in particular with the European Parliament, could well lead to new ideas and targets. However, our starting point has to be the elements already endorsed by the European Council. And the guiding principle in this area, as in others, must be that of subsidiarity in which

decisions are taken as openly as possible and as closely as possible to the citizen.

If it is to serve these purposes and to provide a reliable road map in such a complex area involving a large number of individual measures to be adopted, the **Scoreboard** must visualise both the road still ahead and the distance already covered, not hesitating to display both the areas where progress is on track but also where it is lagging behind schedule. It must be sufficiently detailed and structured that precise targets to be reached by the end of the each calendar year are clearly identified and visible.

This approach builds on the method successfully adopted in earlier ventures of the Union, in particular the establishment of the Single Market.

It is important to recall that, in almost all areas of Justice and Home Affairs, the Commission and Member States, for a transitional period of five years following the entry into force of the Treaty of Amsterdam, share the right of initiative for legislation. This further underlines the partnership-based nature of the responsibilities for taking forward this project. When the **Scoreboard** indicates that responsibility for taking the initiative lies with the Commission rather than with a Member State, this mainly reflects the language of Tampere, which specifically requested certain actions from the Commission. There are also a limited number of items where action is attributed to the Commission either because it already appears in the Commission's published work programme or because the Treaty Article on which it is based provides for exclusive right of the Commission (e.g. Article 18 for action in the field of European citizenship). In other cases, the **Scoreboard** leaves open the possibility that the initiative could come as well from the Commission as from any Member State. In some areas, certain Member States have already indicated their intention to take the first initiative and this is duly recorded in the **Scoreboard**.

1.2. How to read the Scoreboard

The **Scoreboard** is intended to be both accessible and comprehensible to non-specialist readers. It will be a living document, regularly updated, and could, if the European Parliament so wishes, become a major component of its annual debate on progress in this area. This should also open to public scrutiny the steps being taken to achieve one of the Union's main political objectives in areas which have in the past been considered rather impenetrable to non-specialist observers. This is especially important since public support for the project is essential to its success.

The proposed **Scoreboard** is structured in tabular form. It follows as close as possible the chapter headings used in Tampere and is divided into the following columns:

- The individual objectives as listed in the Tampere Conclusions, in the Vienna Action Plan and in the Treaty itself

- The form of follow-up action needed, distinguishing where appropriate between legislative and non-legislative action including if possible the nature of the instrument required
- Where responsibility lies for taking things forward
- The deadlines for adoption, where these are already indicated in the basic texts or have been added or subsequently adjusted to take account of later developments. Where the basic texts are silent on deadlines, this first version of the **Scoreboard** is also silent with a view to filling in dates in the light of discussion
- The state of play (this column will serve to identify what has been achieved as well as where progress is lagging)

1.3. Scope of the Scoreboard

The Scoreboard has a somewhat wider coverage than the areas contained in Title IV of the Treaty establishing the European Community and in Title VI of the Treaty on European Union alone. It includes, for example, a number of measures needed in relation to the concept of European citizenship, as well as some subjects not specifically mentioned in the Amsterdam Treaty, the Vienna Action Plan or the Tampere conclusions but raised by certain Member States during Commissioner Vitorino's tour of capitals in the first weeks of the year 2000.

On the other hand, the Scoreboard at this stage does not attempt any comprehensive coverage of the potentially vast area of legislative activity which flows from the incorporation of Schengen into the Treaty. The Commission is still reflecting on the appropriate schedule for such action, inclining to the view that the priority with which there is a need to convert Schengen provisions into "Amsterdam" instruments will depend more on developments than on any absolute requirement to convert them for the sake of doing so. Thus it has included a reference to the need to "communautarise" Article 2.2 of the Schengen Convention, since that article has already been invoked on a number of occasions since the entry into force of the Treaty. A similar approach has been adopted with regard to certain "third pillar" instruments which will have to be converted in due course.

Furthermore, certain issues of a horizontal nature and relevant to the creation of an area of freedom, security and justice in the European Union are not dealt with directly by this **Scoreboard**. In some cases, these questions are handled in other bodies – as in the case of the Convention entrusted with drawing up a draft Charter of fundamental rights of the European Union, or the Intergovernmental Conference with regard to the role of the European Court of Justice or the protection of the financial interests of the Community. In others, they cut across different actions proposed in the **Scoreboard**, for example in the case of the external actions of Justice and Home Affairs, where, in accordance with the conclusions of the European Council of Tampere, the first step is for specific recommendations to be drawn up by the Council and the Commission

concerning priorities, policy objectives and measures, including the question of working structure, before the Feira European Council in June 2000.

Similarly, it is too early for detailed actions to be listed in the field of crime prevention since this will be the subject of a major conference organised by the Portuguese Presidency in May 2000.

1.4. Keeping the Scoreboard up-to-date

The Commission proposes drawing an updated version of the **Scoreboard** to the attention of the European Parliament and the Council once per Presidency. This will provide the occasion to review progress made; to indicate where and when it may be slipping; and, if necessary, to adjust priorities but without losing sight of the overall objective and timescale set out in the Treaty and in the subsequent European Council conclusions. The first such review will also provide the opportunity to build up further the picture in terms of how the Member States and the Commission share the responsibilities regarding the right of initiative in any areas which remain uncovered.

2. A COMMON EU ASYLUM AND MIGRATION POLICY

The separate but closely related issues of asylum and migration call for the development of a common EU policy to include the following elements:

2.1. Partnership with countries of origin

A comprehensive approach to migration will be developed, addressing political, human rights and development issues in countries and regions of origin and transit based on a partnership with those countries and regions with a view to promoting co-development.

Objective	Action needed	Responsibility	Timetable for adoption	State of play
Assessment of countries and regions of origin and transit in order to formulate specific integrated approaches	Continuation of the mandate of the High Level Working Group on Asylum and Migration	Council & Commission		Ongoing work within the HLWG – Report on the implementation of the action plans already adopted : December 2000
	Assessment of other countries and regions in view of drawing up new action plans	Council & Commission	April 2001	No decision yet taken on which further countries need to be assessed

2.2. A Common European Asylum System

The aim is to ensure a full and inclusive application of the Geneva Convention, ensuring that nobody is sent back to persecution, i.e. maintaining the principle of non-refoulement.

In the long term, a common asylum procedure and a uniform status for granting asylum valid throughout the Union must be established.

Secondary movements by asylum seekers between Member States should be limited.

A temporary protection regime for displaced persons on the basis of solidarity among Member States will be established.

Objective	Action needed	Responsibility	Timetable for adoption	State of play
Determination of the State responsible for the examination of an asylum application	Examination of the effectiveness of the Dublin Convention	Evaluation to be conducted by the Commission	2000	To be launched by Spring 2000 – Commission evaluation document available in March/April
	Adoption of criteria and mechanisms (regulation)	Council, on the basis of a Commission proposal	April 2001	Working document submitted by the Commission in March 2000 Commission proposal to be submitted by end 2000
	Finalise work on EURODAC	Council and Commission		Commission proposal submitted in 1999 (revised proposal submitted in March 2000) EP to be reconsulted Ongoing preparatory work for the setting up of the System, under responsibility of the Commission
A fair and efficient asylum procedure	Adoption of common minimum standards on procedures for granting or withdrawing refugee status with a view, inter alia, to reducing the duration of asylum procedures, and paying special attention to the situation of children (directive)	Council, on the basis of a Commission proposal	April 2001	Working document tabled by the Commission in March 1999 Opinion of the EP still awaited Commission proposal to be submitted taking account inter alia, of the EP opinion when available
	Definition of common minimum conditions for reception of asylum seekers (with a particular attention to the situation of children) (directive)	Council, on the basis of a Commission proposal	April 2001	Commission has put in hand a preliminary study Commission proposal to be submitted beginning 2001
	Common asylum procedure	Partially, the Commission		Commission to prepare a communication by end 2000
Uniform status for those who are granted asylum throughout the Union	As a follow-up to the Commission communication a legislative instrument may be needed	Council, on the basis of a Commission proposal		Commission to prepare a communication
	Approximation of rules on the recognition and content of the refugee status (directive)	Council, on the basis of a Commission proposal	April 2004	

Adoption of measures on refugees and displaced persons aiming at offering an appropriate status to any person in need of international protection	Temporary protection in case of mass influx of displaced persons in need of international protection (directive)	Council, on the basis of a Commission proposal	As quickly as possible	Revised Commission proposal to be submitted Spring 2000
	Subsidiary forms of protection (directive)	Council, on the basis of a Commission proposal	April 2004	
Promotion of a balance of effort between Member States in receiving and bearing the consequences of receiving refugees and displaced persons	Setting up a European Refugee Fund (decision)	Council, on the basis of a Commission proposal	As quickly as possible	Commission proposal tabled on 14 December 1999
	Securing a financial reserve available in situations of mass influx of refugees	Council and EP		Commission is exploring possibilities

2.3. Fair treatment of third country nationals

The conditions for admission and residence of third country nationals will be approximated, on the basis of a shared assessment of the economic and demographic developments within the Union, as well as the situation in the countries of origin.

An integration policy should aim at granting third country nationals who reside legally on the territory of Member States (and in particular long-term residents), rights and obligations comparable to those of European Union citizens, as well as enhancing non-discrimination and the fight against racism and xenophobia.

Objective	Action needed	Responsibility	Timetable for adoption	State of play
Fight against all forms of discrimination, and more particularly racism & xenophobia ¹	Implementation of the principle of equal treatment between persons irrespective of race or ethnic origin (directive)	Council, on the basis of a Commission proposal	June-December 2000	Commission proposal submitted to Parliament and Council on 25 November 1999
	Establishment of a general framework for equal treatment in employment and occupation (directive)	Council, on the basis of a Commission proposal		Commission proposal submitted to Parliament and Council on 25 November 1999
	Programmes drawing upon best practices and experiences (decision)	Council, on the basis of a Commission proposal		Commission proposal for a Community action programme (2001-2006) to support Member States' efforts, submitted to Parliament and Council on 25 November 1999
	Strengthening of cooperation with the European Monitoring Centre on Racism & Xenophobia and the Council of Europe	Council / Commission		Official opening of the Centre on 7 April 2000

¹ Measures aiming at enhancing non-discrimination and fighting against racism and xenophobia apply generally to all persons residing in the territory of the European Union ; they are particularly relevant with regard to third country nationals.

	Enhancing police and judicial cooperation in preventing and combating racism and xenophobia – Common incrimination of racism and xenophobia ² (framework decision)	Council, on the basis of a Commission proposal		Second report on the implementation of the Joint action of 15 July 1996 to be tabled in June 2000
Approximation of national legislations on the conditions for admission and residence of third country nationals	Assessment of present and future migration flows into the EU, with regard to demographic changes, the situation of labour market, as well as migration pressures from countries and regions of origin	Council / Commission / Member States		Commission communication to be submitted by Autumn 2000
	Conditions of entry and residence for the purpose of (a) family reunification, (b) study or vocational training, unpaid activities, (c) paid employment and self employed economic activity (directives)	Council, on the basis of Commission proposals		Commission proposal for a directive on the right to family reunification submitted to Parliament and Council on 1 December 1999 Studies being carried out on admission for other purposes
	Standards and procedures for the issue of long term visas and residence permits (directive)	Council, on the basis of Commission proposals		
Approximation of the legal status of third country nationals	Definition of a set of uniform rights (e.g. the right to reside, receive education and work as an employee or a self-employed person) to be granted to third country nationals who have resided legally in a Member State for a period of time to be determined (directive)	Council, on the basis of Commission proposals		Study put in hand by the Commission on the legal status of third country nationals who are long-term residents in a Member State of the European Union

² See also table on “fight against certain forms of crime”.

	Determination of the criteria and of the conditions under which, like Community nationals and their families, third country nationals could be allowed to settle and work in any Member State of the Union, taking account of the consequences for social equilibrium and the labour market (directive)	Council, on the basis of Commission proposals		
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2.4. Management of migration flows

Management of migration flows should be improved every stage through close cooperation with countries of origin and transit.

The fight against illegal immigration will be enhanced by combating the criminal networks involved while securing the rights of victims.

Objective	Action needed	Responsibility	Timetable for adoption	State of play
To improve the exchange of statistics and information on asylum and immigration (this exchange should include statistics as well as information on national legislations and policies)	Further implementation of the action plan adopted by the Council in April 1998	Commission, in cooperation with Member States		Data collection started in October 1998 ; second phase (extension to candidate countries, Norway and Iceland) to be launched during the second half of 2000 (after evaluation of the initial phase)
	Setting up of a (virtual) European Migration Observatory	Commission		Preparatory actions (on the basis of previous feasibility study) financed by ODYSSEUS programme ; Commission's staff working document to be issued in Spring 2000
To enhance the fight against trafficking in human beings and economic exploitation of migrants	Adoption measures establishing minimum rules relating to the constituent elements of criminal acts and to penalties in the field of organised crime linked with trafficking of human beings (framework decision) ³	Council on the basis of Commission proposals		Commission to table proposal by the end of 2000

³ See also table on "fight against certain forms of crime".

	Detecting and dismantling the criminal networks involved by making the fight against illegal immigration one of the priorities of the operational cooperation	Member States / Europol		
	Further harmonisation of Member States laws on carrier's liability (directive)	Council on the basis of a Commission proposal or a Member State initiative		
To assist countries of origin and transit	Development of information campaigns on the actual possibilities for legal immigration and for the prevention of all forms of trafficking in human beings	Council on the basis of Commission proposals	April 2001	
	Promotion of voluntary return			
	Strengthening the ability of the authorities of those countries to combat effectively trafficking in human beings			
	Helping third countries to cope with their readmission obligations towards the Union and the Member States			
To establish a coherent European Union policy on readmission and return	To conclude readmission agreements or to include standard clauses in other agreements between the European Community and relevant third countries or groups of countries	Council, on the basis of Commission proposals		Recommendation for Commission negotiating mandates for Community readmission agreements with four third countries tabled by Commission on 14 February 2000

3. A GENUINE EUROPEAN AREA OF JUSTICE

The ambition is to give citizens a common sense of justice throughout the Union. Justice must be seen as facilitating the day-to-day life of people and bringing to justice those who threaten the freedom and security of individuals and society. This includes both a better access to justice and a full judicial cooperation among Member States.

3.1. Better access to justice in Europe

A genuine area of justice must ensure that people and businesses can approach courts and authorities in any Member State as easily as in their own and not be prevented or discouraged from exercising their rights by the complexity of the legal and administrative systems in the Member States.

Objective	Action needed	Responsibility	Timetable for adoption	State of play
Ensure legal security and equal access to justice	Information campaign and publication of "user guides" on judicial cooperation within the Union	Commission		Commission to launch preparatory work
	Establishment of a permanent information system by a network of national authorities (the European Judicial Network for civil matters)	Council on the basis of a proposal by the Commission	2001	Preliminary discussions taking place in Council – Commission to launch a feasibility study on data base
	Proposal to establish minimum standards of legal aid	Council on the basis of a Commission proposal or a Member State initiative	April 2004	Commission transmitted a Green Paper in February 2000 – Parliament and Council to examine the Green Paper Commission is preparing a paper on recovery of legal costs and lawyer's fees as well as on "group actions"
	Proposal on common procedural rules for small civil and commercial claims, uncontested claims and maintenance claims	Council on the basis of a Commission proposal or a Member State initiative	April 2004	Commission to launch study on small claims
	Proposal to establish minimum standards of quality for ADR	Member States to set up the extra judicial procedures	April 2004	Commission issued a recommendation in 1998 on principles applicable to ADR (Alternative Dispute Resolution) for consumers; Commission is launching on EEJ (European Extra Judicial) net for consumers
Ensure legal security and equal access to justice	Creation of multilingual forms mutually accepted as valid documents in cross-borders legal proceedings	Council on the basis of a Commission proposal or a Member State initiative	April 2004	To be included in the programme on mutual recognition of civil and commercial decisions

Protect rights to compensation and provide assistance to victims	Drawing up of minimum standards for protection of victims	Parliament and Council to examine the Commission's communication		Commission transmitted a communication in July 1999
	Further instruments on approximation of victim's compensation mechanism		2004	

3.2. Mutual recognition of judicial decisions

A genuine area of justice must provide legal certainty to people and to economic operators. To that end, judgements and decisions should be respected and enforced throughout the Union.

Enhanced mutual recognition of judicial decisions and judgements and the necessary approximation of legislation would facilitate co-operation between authorities and the judicial protection of individual rights. In order to ensure that the principle of mutual recognition should become the cornerstone of the judicial co-operation in both civil and criminal matters within the European Union.

As regards to civil matters;

Objective	Action needed	Responsibility	Timetable for adoption	State of play
Enhanced mutual recognition of judicial decisions and judgements, and the necessary approximation of legislation, to facilitate cooperation between authorities and the judicial protection of individual rights	Programme of measures on mutual recognition of civil and commercial decisions (containing measures required for mutual recognition and enforcement; abolishing obstacles for small claims and family litigation)	Council and Commission to adopt a programme	Programme to be adopted by the end of 2000	Commission is initiating preparatory studies with a view to presenting a proposal Presidency to organise a conference in July
	Launching of work on the European Enforcement Order	Council on the basis of a Commission proposal or a Member State initiative		This action is to be included in the programme of measures to implement the principle of mutual recognition
	Proposal on minimum standards on specific areas of civil procedural laws (new procedural legislation on money payments)			This action is to be included in the programme of measures to implement the principle of mutual recognition

As regards to criminal matters;

Objective	Action needed	Responsibility	Timetable for adoption	State of play
Make sure criminals have no safe havens	Ratification of the 1995 and 1996 EU Conventions on extradition	Member States	April 2001	Six M-S ratified the 1995 Convention Six M-S ratified the 1996 Convention
	Study on abolition of formal extradition procedures concerning persons fleeing from justice after having been sentenced	Council on the basis of a Commission proposal	End 2001	Commission to prepare proposal
	Providing for fast track extradition procedures	Council on the basis of a Commission proposal	End 2001	Commission to prepare proposal
	Examine the issue of extradition in relation to procedures in absentia	Council on the basis of a Commission proposal or a Member State initiative	April 2004	
Ensure that decisions taken in one Member State have effect throughout the Union	Programme of measures on the application of the principle of mutual recognition to be followed by specific instruments	Council / Commission	Programme to be adopted by the end_2000	Discussion has started in Council on the basis of UK paper and Commission is to prepare a paper on recognition of final decisions
	Application of mutual recognition to pre-trial orders	Council on the basis of a Commission proposal or a Member State initiative		Discussion in Council on the basis of a Presidency paper concerning freezing of assets ⁴
	Examine the feasibility of improved cross-border cooperation on the transfer of proceedings and the enforcement of sentences	Council on the basis of a Commission proposal or a Member State initiative	April 2004	To be included in Commission paper

⁴ See table on “special action against money laundering”.

	Study the feasibility of extending and possibly formalising the exchange of information on criminal records	Council on the basis of a Commission proposal or a Member State initiative	April 2004	To be included in Commission paper
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3.3. Greater convergence in civil law

In order to smooth judicial cooperation and to enhance access to law, better compatibility and more convergence between the legal systems must be achieved.

Objectives	Action needed	Responsibility	Timetable for adoption	State of play
Eliminate obstacles created by disparities in law and procedures	New procedural legislation in cross border cases (e.g. provisional measures, taking of evidence, time limits)	Council on the basis of a Commission proposal or a Member State initiative. Germany to table an initiative on taking of evidence	April 2004	
	Overall study in order to identify and eliminate obstacles to the good functioning of civil proceedings	Council should prepare a report	End 2001	Commission to prepare a communication
	Finalising the Brussels and the Lugano Conventions	Council on the basis of a Commission proposal	April 2001	Council to adopt regulation Commission to prepare draft agreement with Norway, Iceland and Switzerland
	Drawing up a legal instrument on the law applicable to non-contractual obligations.	Council on the basis of a Commission proposal or a Member State initiative	April 2001	Commission to issue a communication by Spring 2000
	Revising, where necessary, the 1980 Rome Convention.	Council on the basis of a Commission proposal or a Member State initiative	April 2001	Commission to prepare a communication to be followed, if need be by a draft Regulation
	Preliminary study on the possibility of drawing up a legal instrument on the law applicable to divorce	Council/ Commission	April 2004	
	Elaboration of a preliminary study on jurisdiction and applicable law for matrimonial property and successions		April 2004	

4. UNIONWIDE FIGHT AGAINST CRIME

A balanced development of unionwide measures against all forms of crime, including serious organised and transnational crime, should be achieved while protecting the freedom and legal rights of individuals and economic operators.

4.1. Preventing Crime at the level of the Union

Any efficient policy in the fight against all types of crime, organised or otherwise, must include also preventive measures of a multidisciplinary nature.

Integration of crime prevention aspects in actions and programmes against crime at the Union and Member States level.

Cooperation between national prevention organisations should be encouraged whilst identifying certain areas of priority.

Objectives	Action needed	Responsibility	Timetable for adoption	State of play
Prevent crime through reduction of opportunities	Identification and development of common priorities – political guidelines – to be taken into account when preparing new legislation	Council/ Commission/ Member States		The Portuguese Presidency to organise a high-level conference in May 2000
	Integration of crime prevention aspects in actions and programmes against crime at the Union and Member States level – political guidelines by Council	Council/ Commission/ Member States		
Facilitate cooperation between Member States	Exchange of best practices and cooperation between national crime prevention authorities in priority areas, possibly by setting up a Community funded programme addressing inter alia, juvenile, urban and drug-related crime	Council / Commission/ Member States	2001	

4.2. Stepping up cooperation in the fight against crime

In a genuine area of justice criminals must find no ways of exploiting differences in the judicial systems of Members States

To give citizens a high level of protection implies greater cooperation between the authorities responsible for applying the law. To this end, maximum benefit should be derived from cooperation between Member States authorities when investigating cross-border cases.

The Treaty of Amsterdam by providing further competences to Europol recognised the essential and central role in facilitating European Cooperation in preventing and combating organised crime

Objective	Action needed	Responsibility	Timetable for adoption	State of Play
Coordinate and where appropriate, centralise proceedings	Set up joint investigative teams, as a first step, to combat trafficking in drugs and human beings as well as terrorism – when investigating cross-border crime	Adoption of the MLA Convention or Council on the basis of an initiative by a Member State	Without delay	The Council is discussing a proposal presented by the Portuguese Presidency
	Setting up a unit composed of national prosecutors, magistrates or police officers of equivalent competence – EUROJUST	Council on the basis of a Commission proposal or a Member State initiative	End 2001	Preliminary discussions on the basis of papers presented by the Portuguese Presidency, Germany and Italy
	Implement and where appropriate further develop the European judicial network	Council on the basis of a Commission proposal or a Member State initiative	April 2001	Preliminary discussions in Council
	Prevent conflicts of jurisdiction by examining the possibility of registering proceedings pending in different Member States	Council on the basis of a Commission proposal or a Member State initiative	April 2004	
Provide mutual assistance to the fullest extent possible	Adoption, ratification and implementation of the Convention on Mutual Assistance in Criminal Matters	Council / Member States	April 2001	
	Consider arrangements under which authorities may operate in the territory of another Member State	Council on the basis of a Commission proposal or a Member State initiative	April 2001	
	Examine the possibilities for harmonised rules on data protection	Council on the basis of a Commission proposal or a Member State initiative	April 2001	Work started in Council on the basis of a discussion paper of the Portuguese Presidency
Protect rights of victims and provide assistance	Drawing up minimum standards	Council on the basis of a Commission proposal or a Member State initiative	April 2001	Portuguese Presidency to present draft framework decision on victim's situation in criminal proceedings
Develop operational police cooperation and law enforcement training at EU level	Establishment of a European Police Chiefs operational Task Force	Council on the basis of a Commission proposal or a Member State initiative	2001	Council has begun discussion on the basis of a paper presented by the United Kingdom. A meeting of the European Chiefs of Police will take place in April.
	Setting up the European Police College – starting as a network of existing national training institutes – open to candidate countries	Council on the basis of a Commission proposal or a Member State initiative	2001	The Council is discussing the different options for establishing the network on the basis of a paper prepared by the Secretariat

Enhance customs cooperation in the fight against crime and regarding the use of information technology	Implementation of the CIS (Customs Information Systems) and Naples II Conventions.	Member States	Ongoing	
	To strengthen law enforcement cooperation against smuggling			Italy is preparing an initiative in the field of smuggling
Foster international cooperation in the fight against transnational organised crime	Adoption and ratification of the United Nations' Convention on transnational organised crime and the additional Protocols	Council, Member States/ Commission	End of 2000 for signature	Common position on UN draft Convention and already three mandates for Commission relating to the Protocols. Negotiations in progress.
Reinforce the role of Europol in facilitating European cooperation in preventing and combating crime with the necessary support and resources	Extend the competence of Europol to cover money laundering ⁵ in general regardless of the offence from which the proceeds originate	Council on the basis of an initiative by a Member State		All these items are under discussion in Council
	Examination on the feasibility of setting up a database of pending cases	Europol / Council		
	Enable Europol to facilitate the preparation of specific investigative actions by the competent authorities of the Member States, including operational actions of joint investigative teams	Appropriate decision by Council needed	April 2004 without delay for certain areas	
	Adopt measures allowing Europol to ask the competent authorities of the Member States to conduct and coordinate their investigations in specific cases and to develop specific expertise which may be out at the disposal of M-S to assist them in investigating cases of organised crime	Council on the basis of an initiative by a Member State	April 2004	

⁵ In the field of protection of the financial interests of the Community, the draft revised directive on Money laundering would allow the Commission to assist the national authorities - see also table on "special action against money laundering"

	Consideration to be given to the possible need to revise Europol Convention to cover new competencies and the question of democratic and judicial control	Council / Commission		
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4.3. Fight against certain forms of crime

With regard to national criminal law, efforts to agree on common definitions, incriminations and sanctions should be focused in the first instance on a limited number of sectors of particular relevance. Agreements on common definitions, incriminations and sanctions regarding serious organised and transnational crime need to be established in order to protect the freedom and legal rights of individual and economic operators.

Objective	Action needed	Responsibility	Timetable for adoption	State of play
Adopt a common approach throughout the EU on cross border crimes	Criminalisation of trafficking in human beings and sexual exploitation of children with particular reference to child pornography on the Internet ⁶	Council on the basis of a Commission proposal	April 2001	Commission preparing a communication
	Common definitions, incrimination and sanctions regarding drug trafficking ⁷	Council on the basis of a Commission proposal	April 2001	Study to be launched by the Commission
	Common definitions, incrimination and sanctions regarding corruption	Council on the basis of a Commission proposal	April 2001	Commission is preparing a policy paper
	Common definitions, incrimination and sanctions regarding environmental crime	Council	April 2001	Denmark tabled (under article 34) a proposal in January 2000 Significant body of relevant Community legislation already in force
	Proposal on common incrimination of hooliganism	Council on the basis of an initiative by a Member State		(Belgium and/or the Netherlands to take the initiative)

⁶ See also table on “management of migration flows”.

⁷ See also table on “cooperation against drugs”.

	Common definitions, incrimination and sanctions of racism and xenophobia (framework decision)	Council on the basis of a Commission proposal or a Member State initiative		Second report on the implementation of the Joint action of 15 July 1996 to be tabled in June 2000 ⁸
	Common definitions regarding prevention and fight against cyber-crime including common incrimination and sanctions on high-tech crime	Council on the basis of a proposal of the Commission	April 2001	Commission to prepare a communication
	Criminalisation of fraud to non-cash means of payment	Council on the basis of a proposal of the Commission	April 2001	Commission proposal sent to Parliament and Council in September 1999
	Common definitions, incrimination and sanctions regarding counterfeiting of the Euro	Council to adopt a Framework Decision – complementary measures should follow	April 2001	Council to adopt the Framework Decision in March 2000. Commission preparing complementary measures
	Criminalisation of fraud in public tender	Council on the basis of an initiative by a Member State	April 2001	Germany presented an initiative in March 1999
	Reinforcing the legal framework for the protection of the Community's financial interests	Council and EP on the basis of a Commission proposal		Commission preparing a proposal

⁸ See also table on “fair treatment of third country nationals”.

4.4. Special action against money laundering

Money laundering is at the very heart of organised crime. For that reason measures must be taken in order to root it out wherever it occurs to ensure that concrete steps are taken to trace, freeze, seize and confiscate the proceeds of crime.

Objective	Action needed	Responsibility	Timetable for adoption	State of play
Deprive criminals from the proceeds of crime	Convention or framework decision on financial crime, money laundering	Council on the basis of an initiative by France		
	Concrete steps to trace, freeze, seize and confiscate the proceeds of crime			Discussion in Council on the basis of a Presidency paper concerning freezing of assets
Enhance knowledge and capacity to fight money laundering activities	Implement fully the provisions of the Money Laundering Directive, the 1990 Strasbourg Convention and the Financial Action Task Force recommendations also in all their dependent territories	Member States		
	To adopt the draft revised directive on money laundering	Council and Parliament	As soon as possible	Commission tabled a proposal for a revised Directive in July 1999; Parliament to adopt an opinion and Council to adopt a common position
	Expedite exchange of information between the existing financial intelligence units (FIU) and, entitle judicial authorities and FIU to receive information regardless of secrecy provisions.	Council on the basis of an initiative by Finland		Initiative from Finland for a Council decision. Parliament to give an opinion and Council to adopt.
	Draw up a report identifying provisions in national banking, financial and corporate legislation which obstruct international cooperation	Commission		Commission to prepare report
	Extend the competence of Europol to cover money laundering ⁹ in general regardless of the offence from which the proceeds originate	Council on the basis of a Commission proposal or a Member State initiative		Discussion in Council and in Europol Management Board

⁹ See also table on “stepping up cooperation in the fight against crime”.

5. ISSUES RELATED TO INTERNAL AND EXTERNAL BORDERS AND VISA POLICY, IMPLEMENTATION OF ART. 62 TEC AND CONVERTING THE SCHENGEN ACQUIS

Objective	Action needed	Responsibility	Timetable for adoption	State of Play
Further development of a common visa policy	Regulation on countries whose nationals are respectively exempt from or subject to visa requirement in the Member States of the European Union	Council, on the basis of Commission proposal	April 2001	Commission proposal submitted to Parliament and Council on 26 January 2000
	Procedure and conditions for issuing visas by Member States	Commission/ Council/Member States	April 2003	
	Rules on a uniform visa	Council, on the basis of Commission proposal	April 2001	
	Further development of the technical specifications of the uniform format for visas		Short term measures 2000-2002 – long term measures 2004	
	Proposal on a regulation on an airport transit visa	Commission/ Council/Member States	April 2001	
	Closer cooperation between EU consulates in third countries	Member States	Ongoing process	
	Measures on the freedom to travel within the territory of MS	Commission/ Council/Member States	April 2001	
Further development of a common policy related to false documents	To render documents more secure, introducing minimum standards for travel documents and residence permits	Commission/ Council/Member States	April 2001	
	To facilitate the detection of false documents, training and equipment	Commission/ Council/Member States	Ongoing process	
To enhance the control at the external borders of the Union	Close cooperation between the Member States border control services, such as exchange programmes and technology transfer	Commission/ Council/Member States	April 2001	
	Rapid inclusion of the applicant States in this cooperation		Ongoing process	
Converting the Schengen acquis	Communitarisation of Article 2-2 of the Schengen Convention (safeguarding clause allowing the temporary reintroduction of border controls)	Council/ Commission		Commission preparing a proposal

6. CITIZENSHIP OF THE UNION

Objective	Actions needed	Responsibility	Timetable for adoption	State of play
Further facilitation of the right to move and reside freely of Union citizens	Regulation updating and revising of rules on the right of entry, movement and residence	Commission	2001	
	Report on the citizenship of the Union	Commission	By the end of 2000	

7. COOPERATION AGAINST DRUGS

As a collective and individual threat, the drugs problem needs to be addressed in a global, multidisciplinary and integrated manner. The EU drugs strategy for the years 2000-2004 will also be evaluated at mid-term and at completion, with the help of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) and Europol.

Objective	Action needed	Responsibility	Timetable for adoption	State of Play
Implementation of the EU Drugs Strategy for 2000-2004 endorsed by the European Council in Helsinki	Report to the European Council on an EU action plan on drugs (2000-2004)	Council to prepare report	June 2000	Council to prepare a report The conference organised by the European Parliament, Council and Commission on drugs policy (28 and 29 February 2000)
	Strengthening of cooperation with the European Monitoring Centre on Drugs and Drug Addiction and Europol in particular as regards synthetic drugs and precursors	Council / Commission/ Member States		
	Development of a methodology for the evaluation of the EU drugs strategy for 2000-2004	Council and Parliament on the basis of proposals of the Commission		
	Common definitions, incrimination and sanctions regarding drug trafficking ¹⁰	Council on the basis of a Commission proposal	April 2001	Study to be launched by the Commission

¹⁰ See also table on "fight against certain forms of crime".

	Enhancement of police customs and judicial cooperation in preventing and combating drugs trafficking	Council on the basis of a Commission proposal or a Member State initiative		

8. STRONGER EXTERNAL ACTION

The European Union underlines that all competences and instrument at the disposal of the Union, and in particular, in external relations must be used in an integrated and consistent way to build the area of freedom, security and justice. Justice and Home Affairs concerns must be integrated in the definition and implementation of other Union policies and activities.

Objective	Action needed	Responsibility	Timetable for adoption	State of Play
All competences and instrument at the disposal of the Union, and in particular, in external relations must be used in an integrated and consistent way. Justice and Home Affairs concerns must be integrated in the definition and implementation of other Union policies and activities	The Feira European Council is to agree on clear priorities, policy objectives and measures for the Union's external action in Justice and Home Affairs	Council, in close cooperation with the Commission to draw up specific recommendations	June 2000	