

Information Guide



Justice and Home Affairs

A guide to the European Union's Justice and Home Affairs policy, with hyperlinks to sources of information within European Sources Online and on external websites

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Introduction

For 2013 organised crime is still considered to be one of the major challenges for EU internal security to address. Money laundering, corruption, trafficking and mobile organised crime groups are just some of the threats foreseen. Cybercrime continues to be of particular concern. Another important challenge for 2013 is to improve tools to better counter growing violent extremism.

From: Second Report on the implementation of the EU Internal Security Strategy, [COM\(2013\)179](#), 10 April 2013.

Legal basis

With the entry into force of the Treaty of Lisbon on 1 December 2009, provisions on freedom, security and justice are set out in both the Treaty on European Union (TEU) and Treaty on the Functioning of the European Union (TFEU).

Included in the Preamble to the [Treaty on European Union](#) is the statement that the Member States of the EU are resolved:

to facilitate the free movement of persons, while ensuring the safety and security of their peoples, by establishing an area of freedom, security and justice, in accordance with the provisions of this Treaty and of the Treaty on the Functioning of the European Union.

According to Article 3(2) of the TEU:

The Union shall offer its citizens an area of freedom, security and justice without internal frontiers, in which the free movement of persons is ensured in conjunction with appropriate measures with respect to external border controls, asylum, immigration and the prevention and combating of crime.

Article 12 addresses the role of national parliaments in the functioning of the Union, which, 'within the framework of the area of freedom, security and justice', participate:

in the evaluation mechanisms for the implementation of the Union policies in that area, in accordance with Article 70 of the Treaty on the Functioning of the European Union, and through being involved in the political monitoring of Europol and the evaluation of Eurojust's activities in accordance with Articles 88 and 85 of that Treaty.

In the [Treaty on the Functioning of the European Union](#), Article 4(2) identifies the area of freedom, security and justice as one in which the EU and its Member States share competence.

Elsewhere in the TFEU, FSJ is the subject of Title V (Articles 67-89). General provisions are set out in Article 67, which reads:

1. The Union shall constitute an area of freedom, security and justice with respect for fundamental rights and the different legal systems and traditions of the Member States.
2. It shall ensure the absence of internal border controls for persons and shall frame a common policy on asylum, immigration and external border control, based on solidarity between Member States, which is fair towards third-country

nationals. For the purpose of this Title, stateless persons shall be treated as third-country nationals.

3. The Union shall endeavour to ensure a high level of security through measures to prevent and combat crime, racism and xenophobia, and through measures for coordination and cooperation between police and judicial authorities and other competent authorities, as well as through the mutual recognition of judgments in criminal matters and, if necessary, through the approximation of criminal laws.

4. The Union shall facilitate access to justice, in particular through the principle of mutual recognition of judicial and extrajudicial decisions in civil matters.

Article 77 concerns 'Policies on border checks, asylum and immigration', with Article 78 focusing more closely on asylum and subsidiary protection, and Article 79 committing the EU to developing a common immigration policy,

aimed at ensuring, at all stages, the efficient management of migration flows, fair treatment of third-country nationals residing legally in Member States, and the prevention of, and enhanced measures to combat, illegal immigration and trafficking in human beings.

Judicial cooperation in civil matters is the subject of Article 81, which in part states:

The Union shall develop judicial cooperation in civil matters having cross-border implications, based on the principle of mutual recognition of judgments and of decisions in extrajudicial cases. Such cooperation may include the adoption of measures for the approximation of the laws and regulations of the Member States.

Provisions on judicial cooperation in criminal matters are set out in Article 82, which states that such cooperation will be based on the principle of mutual recognition of judgments and of judicial decisions and that it will include the approximation of relevant national legislation.

Article 83 concerns minimum rules on serious cross-border crime, defined as:

terrorism, trafficking in human beings and sexual exploitation of women and children, illicit drug trafficking, illicit arms trafficking, money laundering, corruption, counterfeiting of means of payment, computer crime and organised crime.

Actions in support of crime prevention are outlined in Article 84, while Article 85 concerns Eurojust and - in the context of fighting crimes affecting the Union's financial interests - Article 86 allows for the creation of a European Public Prosecutor's Office.

Police cooperation is dealt with in Article 87, which in part states:

The Union shall establish police cooperation involving all the Member States' competent authorities, including police, customs and other specialised law enforcement services in relation to the prevention, detection and investigation of criminal offences.

Article 88 concerns provisions on Europol, while Article 89 allows the Council to establish the conditions and limitations under which the relevant national authorities referred to in Article 82 (judicial cooperation in criminal matters) and in Article 87 (police cooperation)

may operate in the territory of another Member State in liaison and in agreement with the authorities of that State.

Background

In a European Union context, the term 'Justice and Home Affairs' (JHA; also referred to as 'Freedom, Security and Justice' or FSJ) covers issues such as police co-operation, customs co-operation, drugs trafficking, organised crime, terrorism, immigration, asylum, and racism. Member States have long been reluctant to harmonise or develop common policies in these fields, which are intrinsically linked to national sovereignty. In addition, there are pronounced differences between both national legal and administrative systems and national policy approaches. Consequently, European integration in this field has proceeded at a much slower pace than elsewhere.

The Treaty of Rome did not include such matters within the competence of the European Economic Community. It was only in the 1970s that a number of factors prepared the ground for the first cautious steps towards closer cooperation between Member States in the field of Justice and Home affairs.

The [Council of Europe](#) (CoE) played a ground-breaking role with its objective to gradually create a European legal space. Since the 1950s a number of key conventions in the field have been concluded - including the 1957 European Convention on Extradition and the 1959 European Convention on Mutual Assistance in Criminal Matters (find texts via the CoE [List of treaties](#) by subject-matter). Building on these achievements, countries acceding to the EU must adopt several European Conventions amongst the EU [acquis](#).

In the light of the terrorist attacks taking place in many European countries, and the growing cross-border links between terrorist groups in the 1970s, the need for cooperation in the field of internal security became clearer. In 1975, government officials from EC Member States met as the TREVI working group - an informal and purely intergovernmental network for the exchange of information (the acronym allegedly standing for 'Terrorisme, radicalisme et violence internationale'). The scope of TREVI gradually broadened, eventually including issues such as illegal immigration, drug trafficking, organised crime and money laundering. The meetings were later held at ministerial level, but the structure remained outside the EEC Treaty.

Another factor which pushed the Member States towards more cooperation in the field of Justice and Home Affairs was the formal completion of the Single Market by the end of 1992, as set out in the 1985 White Paper and the Single European Act (1986). The Single Market aimed to ensure the free movement of persons. However, there were different interpretations among Member States as to what that meant. Free movement had only applied to workers who were EC citizens, but some Member States felt that eventually the free movement of people within the Community would have to be extended to everyone - including third country nationals.

New opportunities for international crime were one side-effect of the free movement of goods and capital within the Single Market - with Member States having to find common responses. In one of a number of Declarations attached to the [Single European Act](#), Member States committed themselves to promote the free movement of people, by cooperating with regard to the entry, movement and residence of nationals of third countries and in the combating of terrorism, crime, drug trafficking and the illicit trade of works of art and antiques.

From 1 January 2004, a European Arrest Warrant (EAW) replaced extradition procedures between Member States. It was introduced by [Council Framework Decision 2002/584/JHA](#) of 13 June 2002 (as amended by [Council Framework Decision 2009/299/JHA](#); see also [Summaries of EU legislation](#)). A Commission Report on the implementation of the EAW was adopted on 11 April 2011 as [COM\(2011\)175](#) (see also Press Release [IP/11/454](#)). The Report considered the state of implementation and

functioning of the EAW and identified the need for action in a number of areas, notably with regard to respecting fundamental rights.

On 10 June 2009, in the context of discussions on the Stockholm Programme (see section below), the Commission adopted the Communication 'An area of freedom, security and justice serving the citizen' ([COM\(2009\)262](#); see also Press Release [IP/09/894](#)). In it, the Commission identified areas of progress (including Schengen, immigration, fighting organised crime, and civil and commercial law), but also highlighted areas where development has been slower and less clear-cut:

Progress has been comparatively slow in some fields, especially criminal law and family law. These policies require unanimity in the Council, which has often led to long debate with no clear outcome, or to the enactment of legislation that is less ambitious than it might have been.

The Communication also stated:

The Maastricht Treaty brought justice and home affairs into the European Union framework: they had previously been dealt with only at intergovernmental level. Since then justice and home affairs have experienced a steady increase in the degree of integration between Member States and in the role of the European Parliament and of the Court of Justice. The consolidation of these policies, which are of fundamental importance to the ordinary citizen, was given strong political impetus by the Tampere and Hague programmes.

The Schengen Agreement

On 14 June 1985, Belgium, France, Germany, Luxembourg and the Netherlands signed the [Schengen Agreement](#), named after a village in Luxembourg, and aimed at gradually removing internal border controls between the participating Member States. The common space of free movement became known as the 'Schengen Area'.

In June 1990 the five participants signed the [Schengen Convention](#) which laid down rules for implementing the Schengen Agreement, and which entered into force in 1995 when legal and technical problems had been solved. The abolition of internal border controls required greater cooperation between national police, customs and judicial authorities concerned with the Union's external borders, on issues such as terrorism, organised crime, immigration and asylum, as set out in the '[Schengen acquis](#)'.

More countries joined the initial Schengen group, and on 19 December 2011, Liechtenstein became the 26th member (see Press Releases [18446/11](#) and [IP/11/1566](#)).

The EU members of Schengen are: Austria, Belgium, Czech Republic, Denmark, Estonia, France, Finland, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Spain, Slovakia, Slovenia, and Sweden. Bulgaria, Romania and Cyprus are also expected to join in the next few years. Beyond the EU, Iceland, Liechtenstein, Norway and Switzerland are also members.

The United Kingdom and Ireland are not members, but apply some of the provisions on police and judicial co-operation in criminal matters.

With its aim of creating an EU-wide 'Area of Freedom, Security and Justice' (AFSJ) the 1999 Treaty of Amsterdam incorporated the Schengen acquis into the European Union's legal framework (see Press Releases [IP/07/1968](#) and [MEMO/07/618](#), and [Summaries of EU legislation](#)).

In October 2006, the Schengen Borders Code entered into force ([Regulation 562/2006](#) 'establishing a Community code on the rules governing the movement of persons across borders'). The Code was intended to 'consolidate, clarify and develop existing Schengen rules on external border control', but it also covered internal borders and set out the conditions under which border controls can be temporarily re-introduced.

The Code was amended 'as regards the use of the Visa Information System (VIS) under the Schengen Borders Code' by [Regulation 81/2009](#) (the VIS is a system used to exchange visa data between the Member States - see Summaries of EU legislation: [VIS - Stage 1](#) and [VIS - stage 2](#); the VIS started operating on 11 October 2011, with the aim of enabling the quick and effective exchange of data on short-stay visas among Schengen countries - see Press Releases [IP/11/1169](#) and [MEMO/11/682](#)).

On 5 March 2009, the Commission adopted proposals for a Regulation and a Decision aimed at improving the verification of the application of Schengen legislation in the Member States (Press Release [IP/09/359](#)).

14 June 2010 was the 25th anniversary of the Schengen Agreement; Press Release [MEMO/10/249](#), issued at the time, includes a brief history of Schengen.

A European Commission report on the application of the Schengen Border Code, published as [COM\(2010\)554](#) of 13 October 2010, identified three areas of concern: difficulties linked to alleged regular and systematic checks in certain internal border zones; maintenance of obstacles to fluid traffic flow at road crossing-points at internal borders; and delays in the notification of planned reintroduction of internal borders controls (see also Press Releases [IP/10/1329](#), [MEMO/10/488](#)).

On 12 November 2010, with the aim of improving the application of the Schengen rules, the Commission published a 'Proposal for a Decision ... on the list of travel documents entitling the holder to cross the external borders and which may be endorsed with a visa and on setting up a mechanism for establishing this list' ([COM\(2010\)662](#); see also Press Releases [IP/10/1493](#) and [MEMO/10/564](#)). The final act was adopted as [Decision 1105/2011/EU](#) of 25 October 2011.

On 4 May 2011, in view of developments in North Africa and the Mediterranean, leading to an influx of migrants into some southern EU member States, the Commission adopted a 'Communication on migration' ([COM\(2011\)248](#); see also Press Releases [IP/11/532](#), [MEMO/11/273](#), [SPEECH/11/310](#), and Commissioner Cecilia Malmström's [Blog on Schengen](#) [archived]). Amongst a number of measures, it proposed strengthening border control and governance of the Schengen area, and completion of the Common European Asylum System. The introduction to the Communication stated:

... as recent events have starkly illustrated, the EU continues to face serious challenges in the development of its migration policy. The vulnerability of some sections of the EU's external borders is a clear example, notably in the Southern Mediterranean and at the land border between Greece and Turkey. In particular, measures must be taken to prevent large numbers of irregular migrants, often exploited by unscrupulous criminal networks, from arriving in the EU. The EU should accordingly pursue a migration policy based on ensuring that inward migration is effectively managed and ensure that the need for enhanced mobility does not undermine the security of the Union's external borders.

On 16 September 2011, the Commission adopted the Communication 'Schengen governance - strengthening the area without internal border control' ([COM\(2011\)561](#); see also Press Release [IP/11/1036](#)). It concluded:

The Schengen area is vital for everyone living in Europe. The Commission proposes to strengthen the Schengen acquis by means of a governance system capable of responding effectively, and in a timely and coordinated Union-wide way, to exceptional circumstances and challenges which might put the overall functioning of Schengen at stake. The Commission also proposes to initiate a more regular and structured political dialogue between the European Institutions on the functioning of the Schengen area.

At the same time, the Commission also adopted two proposals aimed at improving Schengen governance:

- [COM\(2011\)559](#): Amended proposal for a Regulation 'on the establishment of an evaluation and monitoring mechanism to verify the application of the Schengen acquis' (check progress via [PreLex dossier](#))
- [COM\(2011\)560](#): Proposal for a Regulation 'amending Regulation (EC) No 562/2006 in order to provide for common rules on the temporary reintroduction of border control at internal borders in exceptional circumstances' (check progress via [PreLex dossier](#))

Following agreement between the Parliament, Council and Commission on 29 May 2013, MEPs supported the proposals on 12 June (see Press Releases [MEMO/13/475](#) and [20130607IPR11390](#)).

On 3 June 2013, the Commission adopted [COM\(2013\)326](#): 'Third biannual report on the functioning of the Schengen area: 1 November 2012 - 30 April 2013' (see also Press Release, [IP/13/496](#)).

On 25 October 2011, the Commission announced a 'Smart Borders' initiative, aimed at using new technologies both to simplify life for foreigners frequently travelling to the EU and to better monitor third-country nationals crossing EU borders. Details were given in the Communication 'Smart borders - options and the way ahead' ([COM\(2011\)680](#); see also Press Releases [IP/11/1234](#) and [MEMO/11/728](#)). The initiative would consist of: an Entry/Exit System (EES) which would record the time and place of entry and the length of authorised short stays in an electronic database, replacing the current system of stamping passports; and a Registered Travellers Programme (RTP) which would allow certain groups of frequent travellers (e.g. business travellers, family members) from third countries to enter the EU, subject to appropriate pre-screening, using simplified border checks at automated gates.

Formal proposals were adopted on 28 February 2013 as:

- [COM\(2013\)95](#): Proposal for a Regulation 'establishing an Entry/Exit System (EES) to register entry and exit data of third country nationals crossing the external borders of the Member States of the European Union' (check progress via [PreLex dossier](#))
- [COM\(2013\)96](#): Proposal for a Regulation 'amending Regulation (EC) No 562/2006 as regards the use of the Entry/Exit System (EES) and the Registered Traveller Programme (RTP)' (check progress via [PreLex dossier](#))
- [COM\(2013\)97](#): Proposal for a Regulation 'establishing a Registered Traveller Programme' (check progress via [PreLex dossier](#))

See also Press Release [IP/13/162](#) and DG Home Affairs [news item](#).

On 8 March 2012, the Council adopted Conclusions on guidelines for strengthening political governance in Schengen cooperation (see Press Release [7308/12](#)). The Council welcomed the Commission's intention to present regular reports on the functioning of Schengen and stressed that:

the absence of any controls on persons when crossing internal borders within the Schengen area is one of the most tangible European achievements.

Schengen Information System

A pivotal feature of Schengen cooperation is the Schengen Information System (SIS) which since 1995 has allowed police and other national authorities to access data on specific people and items (such as stolen goods and vehicles). The data, which is stored in national networks (N-SIS), is distributed by a central system (C-SIS) located in Strasbourg. National authorities in the Schengen area can retrieve information within minutes via portable devices.

Although not members of Schengen, Ireland and the United Kingdom have used their 'opt-in' to participate in some aspects of the SIS.

The [Schengen Joint Supervisory Authority](#) (JSA), a Brussels-based independent body made up of representatives of the national data protection authorities, has the task of monitoring the security and the lawfulness of the personal data entered in the system in the light of the Schengen Convention.

The Schengen Information System was initially developed to function for 18 members, but was to be succeeded by SIS II, which can accommodate more members (see Summaries of EU legislation: [Schengen Information System II](#), [SIS II 1st pillar legislation](#) and [3rd pillar legislation](#)).

SIS II was supposed to be operational in 2006, but full implementation was delayed because of technical issues. [Council Regulation 189/2008](#) 'on the tests of the second generation Schengen Information System (SIS II)' was adopted in February 2008, but the test phase ended in December 2008, without all the technical problems being resolved.

A [Reflection Note](#) dated 3 February 2009 gave background to SIS II ahead of discussions at the Justice and Home Affairs Council of 26-27 February 2009. That meeting confirmed that the issue remained a priority, but that 'the date for migration from SIS 1+ to SIS II, set for September 2009, is no longer realistic' and a final decision concerning the project would be adopted before the end of June 2009 (see [Council Press Release](#)).

Two proposals were adopted on 29 September 2009 concerning migration from SIS 1+ to SIS II: [COM\(2009\)508](#) for a Council Regulation, and [COM\(2009\)509](#) for a Council Decision. The former was adopted as [Council Regulation \(EU\) 541/2010](#) of 3 June 2010 'amending Regulation (EC) No 1104/2008 on migration from the Schengen Information System (SIS 1+) to the second generation Schengen Information System (SIS II)'. The latter proposal - to amend Decision 2008/839/JHA - was abandoned following the entry into force of the Treaty of Lisbon, which altered some decision-making procedures (as explained in [COM\(2009\)665](#)).

On 6 May 2010, the Commission adopted a report ([COM\(2010\)221](#)) describing the work carried out on the development of SIS II and the migration from SIS 1+ in the period July - December 2009.

Ministers meeting at the 11 May 2010 Education, Youth and Culture Council adopted [Conclusions](#) on SIS II, and a draft schedule presented to the 3-4 June 2010 Justice and

Home Affairs Council provided for SIS II to enter into operation by the first quarter of 2013 (see Press Release [10630/1/10 REV 1](#)). The 2013 timetable was confirmed by Ministers at the 11-12 April 2011 JHA Council (Press Release [8692/11](#)).

SIS II finally went live on 9 April 2013 (see Press Release [IP/13/309](#)).

The Treaty on European Union

With the 1992 [Treaty on European Union](#) (Treaty of Maastricht) the newly founded European Union obtained responsibilities in the field of Justice and Home affairs, with a new Title VI covering 'Provisions on police and judicial cooperation in criminal matters'. JHA was included in the 'Third Pillar' of the EU and were therefore managed on the basis of inter-governmental co-operation, rather than under the Community decision-making process (see [Summaries of EU legislation](#)).

Cooperation on JHA covered nine areas of common interest:

- asylum policy
- the crossing of external borders
- immigration
- combating drug addiction
- combating international fraud
- judicial cooperation in civil matters
- judicial cooperation in criminal matters
- customs cooperation
- police cooperation.

This gave the Community institutions only a limited role and depended on initiatives being taken by Member States - as opposed to the European Commission under the first pillar - with no-one specifically responsible for proposing policies or overseeing policy implementation, no parliamentary scrutiny and no provision for the Court of Justice to rule on the legality of acts. The slow progress made in JHA matters was the subject of much criticism by the European Commission and the European Parliament during the Intergovernmental Conference which preceded the Treaty of Amsterdam. Calls were made for changes to the respective roles of the institutions and the Member States.

The Treaty of Amsterdam

The 1997 [Treaty of Amsterdam](#) brought elements of JHA within the Community legal framework proper (i.e. the first pillar). This act of communitisation gave the European Commission the power to propose policies and laws on asylum, immigration, frontiers, visas and judicial cooperation in civil matters. Those issues were then brought under Title IV of the [EC Treaty](#), on 'Visas, asylum, immigration and other policies related to free movement of persons' (Art. 61-69 ECT; following the entry into force of the Treaty of Lisbon, provisions on freedom, security and justice are now set out in both the Treaty on European Union (TEU) and Treaty on the Functioning of the European Union (TFEU) - see 'Legal basis' above).

Protocols attached to the Treaty of Amsterdam specified the special positions of Ireland, the United Kingdom and Denmark to Title IV. Ireland and the UK did not take part in measures under Title IV and were not bound by them (but could opt-in on a case-by-case basis); with the exception of certain visa rules, Denmark opted out of Title IV.

Although police and judicial cooperation in criminal matters remained under the third pillar and subject to intergovernmental decision-making, Article K.9 of the [TEU](#) - the so-

called 'passerelle' or Community 'bridge' clause - allowed JHA provisions to be transferred to the first pillar by unanimous decision of the Council.

In the Treaty of Lisbon, specific provisions concerning Denmark, Ireland and the UK are set out in the [protocols](#) attached to the Treaty.

The Amsterdam Treaty included a new objective for the EU: the creation of 'an Area of Freedom, Security and Justice' (see [Summaries of EU legislation](#) [archived]) with the aim of establishing free movement throughout the EU within five years of the Treaty's entry into force. While this in practice meant the removal of all internal border controls, public security was to be guaranteed by combating all forms of organised crime and terrorism.

To this end, the Treaty of Amsterdam incorporated the Schengen acquis (see above) into the European Union's legal framework. A [Protocol](#) was added to the Treaty - also taking into account the special positions of Ireland, the United Kingdom and Denmark - and the Council took over the responsibilities of the Schengen Executive Committee. The term Schengen is not used in the Treaty itself, but it is still in frequent use relating to technical aspects of the Schengen acquis (e.g. 'Schengen Information System', 'Schengen area').

Before the entry into force of the Treaty of Amsterdam, in July 1998, the European Commission summed up the achievements in the field of Justice and Home Affairs and set out its objectives in 'Towards an Area of Freedom, Security and Justice' ([COM\(98\)459](#), text courtesy of Archive of European Integration).

Meeting at the [Vienna European Council](#) in December 1998, EU Heads of State or Government adopted an [Action Plan](#) setting out short- and medium-term objectives for the realisation of the area of freedom, security and justice.

The Tampere Programme

In October 1999, following the entry into force of the Treaty of Amsterdam, a special meeting of the European Council was held in Tampere, Finland. The meeting was almost exclusively devoted to operational matters in Justice and Home Affairs. The establishment of the area of freedom, security and justice was seen as important as the establishment of the single market had been in its day. The Tampere European Council gave real political impetus to the Justice and Home Affairs project (see [Presidency Conclusions](#)). The five-year Tampere Programme defined objectives that were both specific and ambitious, at some points even going beyond the changes agreed at Amsterdam. In addition, a number of initiatives were adopted on asylum, the fight against crime, and police and judicial co-operation.

The European Commission's newly-established Directorate-General for Justice and Home Affairs was asked to establish a [scoreboard](#) listing all the measures to be taken in the next five years and keeping progress under review on a bi-annual basis.

The final six-month scoreboard, published in June 2004 as 'Area of Freedom, Security and Justice: Assessment of the Tampere programme and future orientations' ([COM\(2004\)401](#)) stated that 'undeniable and tangible' progress had been made in most areas of justice and home affairs, and called for EU action to continue 'and take practical form in a second European programme for the area of freedom, security and justice, with detailed priorities and a precise timetable.' A further five-year Action Plan was subsequently adopted in the form of the Hague Programme (see below).

The Charter of Fundamental Rights

Another issue discussed at the Tampere European Council was the Charter of Fundamental Rights, which was formally 'proclaimed' in December 2000 by the [Nice European Council](#). The 54-article [Charter](#) addresses a number of issues relevant to justice and home affairs, including:

- the right to liberty and security (Article 6)
- the right to asylum (Article 18)
- protection in the event of removal, expulsion or extradition (Article 19)
- non-discrimination (Article 21)
- the right to an effective remedy and to a fair trial (Article 47)
- the right not to be tried or punished twice in criminal proceedings for the same criminal offence (Article 50).

With the entry into force of the Treaty of Lisbon on 1 December 2009, the Charter gained the same legal value as the Treaties (see [TEU](#) Article 6). The texts of the Charter, the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU) were all published in Official Journal [C 83](#) of 30 March 2010. On 3 May 2010, the new College of Commissioners ('Barroso II') formally pledged to respect the Charter (see Press Release [IP/10/487](#)).

A 'Strategy for the effective implementation of the Charter of Fundamental Rights by the European Union' was adopted by the Commission on 19 October 2010 as [COM\(2010\)573](#) (see also Press Release [IP/10/1348](#)). It stated:

Decisive steps have been taken towards a Europe of fundamental rights. The Charter of Fundamental Rights of the European Union has become legally binding and the Union is going to accede to the European Convention on Human Rights. The European Parliament and the European Council have made promotion of fundamental rights in the Union one of their priorities for the future of the area of justice, freedom and security. There is now a member of the Commission with specific responsibility for the promotion of justice, fundamental rights and citizenship, and the members of the European Commission promised, in a solemn undertaking before the Court of Justice, to uphold the Charter⁵. More generally, the Lisbon Treaty is a major step forward in that it has extended the co-decision procedure, removed the pillar structure set up under the earlier Treaty, given the Court of Justice general responsibility in the field of freedom, security and justice, and confirmed the place of human rights at the heart of the Union's external action.

All the components of an ambitious fundamental rights policy are therefore present. Respect for fundamental rights has always been an obligation subject to scrutiny by the Court of Justice and an essential component in the construction of the Union, but the Charter's new status will give a boost to the Union's work.

Under the Strategy, the Commission is to verify that all EU legislation complies with the Charter, from preparatory work through to application in the Member States. The Strategy also committed the Commission to producing an annual report on the application of the Charter.

Subsequently, the '2010 Report on the Application of the EU Charter of Fundamental Rights' was adopted by the Commission on 30 March 2011 as [COM\(2011\)160](#). The first such Report, it highlights both significant public interest in the Charter and the fact that it is frequently misunderstood (see Press Releases [IP/11/386](#) and [MEMO/11/207](#)). The introduction to the Report states:

With the entry into force of the Lisbon Treaty, the Charter of Fundamental Rights of the European Union has become legally binding. This leads to a substantial reinforcement of European Union governance by the rule of law. It is a milestone on a path begun decades ago. Before, it was the case law of the Court of Justice that obliged the Union to respect fundamental rights. Now, the Charter embodies in a single, coherent and legally-binding instrument the fundamental rights which are binding upon the EU institutions and bodies.

The JHA Council of 24-25 February 2011 adopted [Conclusions](#) 'on the role of the Council of the European Union in ensuring the effective implementation of the Charter of Fundamental Rights of the European Union.'

See also European Parliament Library Briefing [Assessing fundamental rights in the European Union](#) (6 December 2012) and 'EU Charter is making fundamental rights a reality for citizens' (Press Release [IP/13/411](#) 8 May 2013).

The Treaty of Nice

At the [Nice European Council](#) of December 2000 the Intergovernmental Conference (IGC) was concluded and the [Treaty of Nice](#) was agreed, the first revision of the EU and EC Treaties after Amsterdam. In the field of Justice and Home Affairs it emphasised 'closer cooperation between judicial and other competent authorities of the Member States'. The changes, which aim at enabling the European Union to develop more rapidly into an area of freedom, security and justice, include:

- co-operation through [Eurojust](#), the European Judicial Co-operation Unit (Art. 31 TEU)
- 'enhanced co-operation' in areas referred to in Title VI of the Treaty on European Union (Art. 40-40b TEU)
- extension of the codecision procedure to areas such as illegal immigration and short-term visa policy as well as to immigration and asylum (the latter, however, only on the basis of prior Community legislation defining the common rules and basic principles governing these issues).

September 2001

Following the terrorist attacks of 11 September 2001, the European Council issued a [Declaration](#) which reaffirmed the Union's 'total solidarity with the United States' and confirmed that an [Action Plan](#) against terrorism was being implemented, focusing on five main issues:

- Enhancing police and judicial cooperation
- Developing international legal instruments
- Putting an end to the funding of terrorism
- Strengthening air security
- Coordinating the European Union's global action.

The Conclusions of the December 2001 [Laeken European Council](#) included a section on 'Strengthening the area of freedom, security and justice', which stated that, although some progress had been made towards meeting the objectives set in 1999 at Tampere, a new impetus and guidelines were needed 'to make up for delays in some areas.' Leaders proposed that the Justice and Home Affairs Council should meet more frequently, stressed the need for EU-level decisions to be implemented more quickly in national legal systems, and agreed that a common policy on asylum and immigration would be adopted as soon as possible.

Following the Nice amendments to Title VI of the EU Treaty, Council Decision 2002/187/JHA of February 2002 set out details of [Eurojust](#), the European Judicial Co-operation Unit.

Immigration was the main item on the agenda of the [Seville European Council](#) in June 2002, with participants agreeing actions on a number of related issues, including repatriation, combating human trafficking, and joint operations at external borders.

During 2003 - ahead of the May 2004 Tampere deadline - substantial progress was made in the fields of asylum and immigration:

- In January the [Eurodac system](#), became operational (an electronic fingerprint database for the identification of asylum-seekers, described in Press Release [IP/09/1357](#) as an 'EU wide biometric tool which helps determine which Member State is responsible for examining an asylum claim')
- The adoption of a [Council Directive on the minimum standards for the reception of asylum-seekers](#) (2003/9/EC)
- The adoption of the [Dublin II Regulation](#) (EC/343/2003) which replaced the Dublin Convention (responsibility for processing an asylum application)
- Adoption of the [Directive on family reunification](#) (2003/86/EC)
- Adoption of the [Directive on third country nationals who are long term residents](#) (2003/109/EC).

The June 2003 [Thessaloniki European Council](#) once more emphasised the need to speed up the implementation of all aspects of the programme approved at Tampere, especially on matters relating to the development of a common European policy on asylum and migration and reached conclusions on the development of a common policy on illegal immigration, external borders, visas, the return of illegal migrants and cooperation with third countries.

In June 2004 the European Commission published an assessment of the Tampere Programme and its implementation over the projected five years since 1999 ([COM\(2004\) 401](#)). Whilst welcoming the impressive legislative output, it concluded that:

it is clear that the successes that have been achieved are considerable. However, the original ambition was limited by institutional constraints, and sometimes also by a lack of sufficient political consensus. The step by step approach was often the only possible way of moving forward.

The Hague Programme

Endorsed by the November 2004 Brussels European Council, the Hague Programme (see [Presidency Conclusions](#) Annex 1) is a wide-ranging initiative on freedom, security and justice, spanning 2005-2010 and covering the following policy areas:

- Asylum
- Crime prevention
- Data protection
- Drugs policy coordination
- Enlargement (from a JHA perspective)
- EU citizenship
- EU external borders policy
- External relations
- Fight against organised crime
- Free movement of persons

- Fundamental rights
- Immigration
- Judicial cooperation in civil and criminal matters
- Police and customs cooperation
- Racism and xenophobia
- Schengen area
- Visa policy.

A detailed Action Plan aimed at achieving the Union's objectives was drawn up by the Commission and launched in May 2005 as 'The Hague Programme: Ten priorities for the next five years: The Partnership for European renewal in the field of Freedom, Security and Justice' ([COM\(2005\)184](#); see also Press Releases [IP/05/546](#), [MEMO/05/153](#)).

The Action Plan identified 10 key areas for action:

- fundamental rights and citizenship
- fighting terrorism
- managing migration
- internal borders, external borders and visas
- asylum
- integration (the positive impact of migration on society and economy)
- privacy and security in sharing information
- fighting organised crime
- civil and criminal justice
- freedom, security and justice.

An annual report on the implementation of the Hague Programme has replaced the twice-yearly 'Tampere scoreboard'. A first assessment of the initiative was published in June 2006 as 'Report on the implementation of the Hague programme for 2005' ([COM\(2006\)333](#)). The assessment showed particular problems with initiatives concerning police and judicial cooperation in criminal matters under the 'Third pillar', with the inter-governmental cooperation process making legislation slow to adopt and difficult to implement. Those concerns continued to be expressed in the July 2008 third annual report on implementation ([COM\(2008\)373](#)) which stated:

insufficient progress has been made, especially in areas mainly related to the "Third Pillar", such as prevention of and the fight against organised crime, police and customs cooperation and judicial cooperation in criminal matters.

The report did, however, identify the fight against terrorism as the 'only area under the Third Pillar in which good progress has been made'.

In preparation for its proposals on a follow-up to the Hague Programme, in September 2008 the Commission undertook a public consultation on FSJ priorities for the period 2010-2014. Results were published in January 2009, together with a Eurobarometer survey on public awareness of key FSJ policies (see Press Releases [IP/08/1405](#) and [IP/09/70](#), and [Flash Eurobarometer survey](#)).

The Stockholm Programme

On 10 June 2009, the Commission adopted the Communication 'Justice, freedom and security in Europe since 2005: An evaluation of the Hague Programme and Action Plan' ([COM\(2009\)263](#)), which highlighted the main themes from a review of the Hague Programme and looked at how the EU should respond to future challenges. It included the statement that:

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

[...]

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

Details of the 'Stockholm Programme' were given in the associated Communication 'An area of freedom, security and justice serving the citizen' ([COM\(2009\)262](#); see also Press Release [IP/09/894](#)).

The text of 'The Stockholm Programme - An open and secure Europe serving and protecting citizens' was officially published in Official Journal [C 115](#) of 4 May 2010. For the period 2010-2014, the European Council considers that the priority will be:

to focus on the interests and needs of citizens. The challenge will be to ensure respect for fundamental rights and freedoms and integrity of the person while guaranteeing security in Europe. 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.

All actions taken in the future should be centred on the citizen of the Union and other persons for whom the Union has a responsibility.

In that context, the Stockholm Programme identifies the following main priorities:

- Promoting citizenship and fundamental rights
- A Europe of law and justice
- A Europe that protects
- Access to Europe in a globalised world
- A Europe of responsibility, solidarity and partnership in migration and asylum matters
- The role of Europe in a globalised world - the external dimension.

The associated Communication 'Delivering an area of freedom, security and justice for Europe's citizens: Action Plan Implementing the Stockholm Programme' set out more than 300 individual actions intended to address those priorities (see [COM\(2010\)171](#) of 20 April 2010, and Press Releases [IP/10/447](#) and [MEMO/10/139](#)).

A mid-term review of the Stockholm Programme was submitted by the Cyprus Presidency in November 2012 ([text](#) courtesy of Statewatch).

On 25 February 2010, as part of the Stockholm Programme, Ministers adopted the Union's first Internal Security Strategy (EU ISS), setting out the main threats and challenges the EU faces, including terrorism, organised crime, cyber-crime, forest fires and energy shortages. The Strategy seeks to integrate action on law enforcement and judicial cooperation, border management and civil protection.

Subsequently, on 22 November 2010, the Commission adopted the Communication 'The EU Internal Security Strategy in Action: Five steps towards a more secure Europe' ([COM\(2010\)673](#); see also Press Releases [IP/10/1535](#) and [MEMO/10/598](#)). Comprising 41 actions, it:

builds on what Member States and EU institutions have already agreed, and proposes how we over the next four years can work together to be more effective in fighting and preventing serious and organised crime, terrorism and cybercrime, in strengthening the management of our external borders and in building resilience to natural and man-made disasters.

At their meeting on 24 and 25 February 2011, Justice and Home Affairs Ministers adopted [Conclusions](#) on the Internal Security Strategy Communication. The Council agreed:

that the five strategic objectives for internal security developed by the Commission, namely the disruption of international criminal networks, the prevention of terrorism and addressing radicalisation and recruitment, raising levels of security for citizens and businesses in cyberspace, strengthening security through border management and increasing Europe's resilience to crises and disasters, are crucial to further strengthening freedom, security and justice in the European Union.

The Commission's first Annual Report on the implementation of the EU ISS was adopted on 25 November 2011 as [COM\(2011\)790](#). The Commission concluded that the threats identified in the Strategy are still significant and should remain the focus of EU actions on internal security (see also Press Release [IP/11/1453](#)).

On 10 April 2013, the Commission issued its 'Second Report on the implementation of the EU Internal Security Strategy'. The Report ([COM\(2013\)179](#)) identified organised crime, cybercrime, human trafficking, violent extremism, money laundering and corruption as major issues for the ISS (see also Press Release [IP/13/317](#)) and [SOCTA 2013](#) - Europol's 'EU serious and organised crime threat assessment').

On 28 March 2012, the Commission outlined proposals for establishing a European Cybercrime Centre, to be located within Europol. The Communication 'Tackling Crime in our Digital Age: Establishing a European Cybercrime Centre' ([COM\(2012\)140](#); see also Press Releases [IP/12/317](#) and [MEMO/12/221](#)) identified three major strands of cybercrime on which the Centre should focus:

- cybercrimes committed by organised crime groups, particularly those generating large criminal profits such as online fraud
- cybercrimes which cause serious harm to their victims, such as online child sexual exploitation
- cybercrimes (including cyber-attacks) affecting critical infrastructure and information systems in the Union.

The European Cybercrime Centre (EC3) subsequently opened on 11 January 2013 (see Press Release [IP/13/13](#)).

Decision-making and institutions

Articles 68-76 of the [Treaty on the Functioning of the European Union](#) set out provisions for decision-making in JHA. Under Article 68:

The European Council shall define the strategic guidelines for legislative and operational planning within the area of freedom, security and justice.

Legislative acts are adopted by the Council, with Ministers for Justice and Ministers for Interior Affairs meeting as the [Justice and Home Affairs Council](#) (in recent years meetings have averaged more than one a month).

To coincide with the advent of the Treaty of Lisbon in December 2009, the General Secretariat of the Council issued a [Background note](#) on the impact of the Treaty on the JHA Council.

The European Commission's Directorate-General responsible for JHA was renamed DG Justice, Freedom and Security (DG JFS) in 2004 and in 2010 was split into [DG Migration and Home Affairs](#) and [DG Justice](#).

On 18 March 2010, in a speech entitled 'Next steps for Justice, Fundamental Rights and Citizenship in the EU', Viviane Reding, the Commissioner responsible for Justice, Fundamental Rights and Citizenship, highlighted some of the key issues in her portfolio, including the Charter of Fundamental Rights, data protection, citizenship and civil law, and procedural rights and criminal justice (see Press Release [SPEECH/10/108](#)).

Article 69 TEU provides for national parliaments to be involved in ensuring that initiatives on judicial cooperation in criminal matters and on police cooperation comply with the principle of subsidiarity.

Article 71 of the Treaty establishes a standing committee within the Council, to promote and strengthen operational cooperation on internal security. This Standing Committee on Internal Security (COSI) is the successor to the Article 36 Committee, which itself succeeded the K.4 Committee (the names referred to the relevant TEU Article under which each was created; see also Statewatch: [The EU state gears up for action](#)).

Three agencies have been created to promote cooperation against organised international crime:

Eurojust

Comprising a high-level team of senior magistrates, prosecutors, judges and other legal experts seconded from each Member State, the European Union's [Judicial Cooperation Unit](#), Eurojust, was established by [Decision 2002/187/JHA](#) to help coordinate the investigation and prosecution of serious cross-border crime (see also DG Justice [Eurojust page](#)).

Eurojust cooperates with the European Judicial Network in criminal matters (EJN), set up under the 1997 Action Plan to combat serious crime by improving judicial cooperation between the Member States (see Council [Draft Report to the Helsinki European Council](#)). The EJN comprises central authorities responsible for international judicial cooperation; national contact points; liaison magistrates; and representatives of the European Commission (see also [EJN website](#); confusingly, there are two 'European judicial networks', one on criminal matters, the other dealing with civil and commercial - see Summaries of EU legislation: [European Judicial Network in criminal matters](#) and [Judicial cooperation in civil and commercial matters](#) and [EJN civil and commercial matters website](#)).

In October 2007, the Commission issued a Communication 'on the role of Eurojust and the European Judicial Network in the fight against organised crime and terrorism in the European Union' ([COM\(2007\)644](#)). Early in 2008, a number of Member States proposed changes to both bodies, and in July 2008 Justice and Home Affairs Ministers 'agreed on a general approach' to two draft Council Decisions (see [Official Journal C 54](#) and Council Press Release [11653/08](#)).

According to the [Eurojust annual report 2012](#), the number of cases where Member States requested Eurojust's assistance in fighting serious cross-border crime rose from 1,441 in 2011 to 1,533 in 2012 - an increase of 6.4%.

Europol and CEPOL

The [European Police Office](#) (Europol) was originally established under the 1995 Europol Convention (see [Summaries of EU legislation](#) [archived]). The Convention was replaced by [Council Decision 2009/371/JHA](#) of 6 April 2009 (see also Press Release [IP/08/610](#) and [Summaries of EU legislation](#)).

In the TFEU, provisions on Europol are set out in Article 88, which defines its mission as being:

to support and strengthen action by the Member States' police authorities and other law enforcement services and their mutual cooperation in preventing and combating serious crime affecting two or more Member States, terrorism and forms of crime which affect a common interest covered by a Union policy.

On 17 December 2010, the Commission adopted a Communication 'on the procedures for the scrutiny of Europol's activities by the European Parliament, together with national Parliaments' ([COM\(2010\)776](#); see also Press Release [IP/10/1738](#)).

The [European Police College](#) (CEPOL) is a network of national training institutes for senior police officers, initially established by Decision 2000/820/JHA, since amended by [Council Decision 2005/681/JHA](#) (see also [Summaries of EU legislation](#)). CEPOL's [Annual report 2012](#) ('Strengthening police cooperation through learning') was issued in 2013.

On 27 March 2013, a proposal to merge Europol and CEPOL into an EU Agency for Law Enforcement Cooperation and Training was adopted as [COM\(2013\)173](#) (see also Press Release [IP/13/284](#); check progress via the [PreLex dossier](#)).

A number of other agencies and bodies are also relevant to JHA interests:

- [European Agency for the Management of Operational Cooperation at the External Borders](#) (FRONTEX; see also [Summaries of EU legislation](#)) On 24 February 2010, the Commission adopted a proposal for a Regulation aimed at reinforcing the Agency's legal framework and enhancing its operational capacity ([COM\(2010\)61](#); see also Press Releases [IP/10/184](#), [MEMO/10/45](#)). The proposal was subsequently adopted as [Regulation \(EU\) 1168/2011](#)
- [European Fundamental Rights Agency](#) (FRA; previously the European Monitoring Centre for Racism and Xenophobia; see also [MEMO/07/89](#) and [Summaries of EU legislation](#))
- [European Monitoring Centre for Drugs and Drug Addiction](#) (EMCDDA; see also [Summaries of EU legislation](#))
- [European Network and Information Security Agency](#) (ENISA; see also [Summaries of EU legislation](#))
- European Asylum Support Office (EASO) - created by [Regulation \(EU\) 439/2010](#) (see also Press Releases [IP/10/1610](#) and [MEMO/10/618](#), and [Summaries of EU legislation](#); the EASO became fully operational in June 2011 - see Press Releases [IP/11/750](#) and [MEMO/11/415](#))
- European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (see Press Releases [IP/12/258](#) and [MEMO/12/197](#), and DG Home Affairs [IT Agency](#) page)
- [European Crime Prevention Network](#) (EUCPN; see also [Summaries of EU legislation](#) and [Council Conclusions](#) of 11-12 April 2011). An evaluation report on the EUCPN was adopted on 30 November 2012 as [COM\(2012\)717](#) (see also Press Release [IP/12/1295](#)).

Developments in selected areas

Immigration and asylum

In December 2005, in accordance with the Hague Action Plan, the Commission adopted a 'Policy Plan on Legal Migration' ([COM\(2005\)669](#)), setting out a 'roadmap' for the Hague Programme 2006-2009 and listing actions and legislative initiatives the Commission intended to take (see also Press Releases [IP/05/1664](#) and [MEMO/05/494](#)).

A proposal for a mechanism to create a Rapid Border Intervention Teams was presented by the Commission in July 2006 and subsequently adopted as [Regulation \(EC\) 863/2007](#) (see [MEMO/06/297](#) and [PreLex Dossier](#)). Under the Regulation, a Member State will, in exceptional and urgent situations, be able to request the assistance of Rapid Border Intervention Teams,

comprising specially trained experts from other Member States ... to assist its national border guards on a temporary basis.

In May 2007, the European Border Patrols Network was launched, with the aim of tackling illegal immigration in the Union's southern maritime borders (see Press Releases [IP/07/702](#) and [MEMO/07/203](#)).

Meeting in June 2007, the JHA Council 'reached a political agreement on a Decision on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime.' [Council Decision 2008/615/JHA](#) (the 'Prüm Decision') was subsequently adopted on 23 June 2008. It was based on the essential parts of the 'Prüm Treaty', an international police co-operation agreement signed by Belgium, Germany, Spain, France, Luxembourg, the Netherlands and Austria on 27 May 2005 (see Press Releases [10267/07](#) and [IP/07/803](#), and [Summaries of EU legislation](#)). A Report on the implementation of the Decision was adopted on 7 December 2012 as [COM\(2012\)732](#).

June 2007 also saw the Commission present a package on the Common European Asylum System (CEAS), including a Report on the evaluation of the Dublin system ([COM\(2007\)299](#); Press Release [MEMO/07/227](#)) and a 'Green Paper on the future Common European Asylum System' ([COM\(2007\)301](#); Press Releases [IP/07/768](#) and [MEMO/07/229](#)).

Early in 2008, the Commission presented proposals for the development of an integrated external border management system, intended to preserve the integrity of the Schengen area. The package included measures on the FRONTEX Agency, control of maritime borders, and the creation of a European Border Surveillance System - EUROSUR (see Press Releases [IP/08/215](#), [MEMO 08/84](#), [MEMO 08/85](#), [MEMO 08/86](#)).

A formal proposal for a Regulation establishing EUROSUR was adopted by the Commission on 12 December 2011 as [COM\(2011\)873](#). The proposal aims to increase coordination within and between Member States to prevent and tackle serious crime, with national authorities responsible for border surveillance exchanging operational information and cooperating with each other, with Frontex and with neighbouring countries (see also Press Releases [IP/11/1528](#) and [MEMO/11/896](#); check progress via the [PreLex dossier](#)).

In May 2008, the European Migration Network (EMN) was established by [Council Decision 2008/381/EC](#) to support policy-making in the EU by providing current, objective, reliable and comparable information on migration and asylum. A report on the development of the Network was adopted on 1 August 2012 as [COM\(2012\)427](#) (see also Press Release [MEMO/12/612](#)).

The October 2008 European Council adopted a European Pact on Immigration and Asylum, which:

expresses the commitment of the European Union and its Member States to conduct a fair, effective and consistent policy for dealing with the challenges and opportunities which migration represents. The Pact will henceforth form the basis, for the Union and its Member States, of a common immigration and asylum policy, guided by a spirit of solidarity between Member States and cooperation with third countries. This common policy must be founded on proper management of migratory flows, in the interests not only of the host countries but also of the countries of origin and of the migrants themselves.

The Pact proposed five key political commitments:

- to organise legal immigration to take account of the priorities, needs and reception capacities determined by each Member State, and to encourage integration
- to control illegal immigration, in particular by ensuring that illegal immigrants return to their countries of origin or to a transit country
- to make border controls more effective
- to construct a Europe of Asylum
- to create a comprehensive partnership with the countries of origin and of transit to encourage the synergy between migration and development.

(see [Presidency Conclusions](#); the Pact had previously been discussed at the Justice and Home Affairs Councils in [July](#) and [September](#) 2008).

The principles of the Pact were set out in a series of measures to be implemented at both EU and national levels. On 3 December 2008, the European Commission responded by adopting a package of proposals to amend three existing elements of the Common European Asylum System - an action described in Press Release [IP/08/1875](#) as:

the first concrete proposals presented ... to implement the Policy Plan on Asylum and the Pact on Immigration and Asylum.

On 7 May 2009, MEPs supported the package, calling - amongst other things - for a binding system for managing asylum applications to be set up before 2012 (see Press Release [20090506IPR55222](#)).

On 14 September 2010, Cecilia Malmström, the European Commissioner responsible for Home Affairs, gave a speech on the development of the Common European Asylum System (see Press Release [SPEECH/10/425](#)).

On 4 May 2011, a 'Communication on migration' ([COM\(2011\)248](#)) set out:

recent and future policy proposals in a framework that takes account of all relevant aspects and allows the EU and its Member States to manage asylum, migration and mobility of third-country nationals in a secure environment.

On 24 May 2011, the Commission adopted its 'Annual Report on Immigration and Asylum (2010)' ([COM\(2011\)291](#)), looking at the implementation of the Pact on Immigration and Asylum at both EU and national levels, and making recommendations for future action.

Progress towards the creation of the Common European Asylum System (CEAS) by 2012 was summarised by the Commission on 1 June 2011 (see Press Releases [IP/11/665](#) and [MEMO/11/365](#)), in the context of modified proposals on the Reception Conditions

Directive ([COM\(2008\)815](#); check progress via the [PreLex Dossier](#)) and the Asylum Procedures Directive ([COM\(2009\)554](#)).

A 'European Agenda for the Integration of Third-Country Nationals' was adopted by the Commission on 20 July 2011 as [COM\(2011\)455](#). It emphasised migrants' full participation in all aspects of collective life and highlighted the key role of local authorities in the integration process (see Press Releases [IP/11/911](#), [MEMO/11/529](#) and [MEMO/11/530](#)).

A Framework Agreement between the EU and the International Organization for Migration (IOM) was signed on 8 November 2011 (see Press Release [IP/11/1313](#) and [EU and IOM](#) page). The Agreement is intended to streamline cooperation on financial and administrative matters, and forms

an important step towards a more strategic cooperation between the EU and IOM, including with a view to the implementation of the Global Approach to Migration and Mobility.

On 18 November 2011, the Commission adopted [COM\(2011\)743](#): 'The Global Approach to Migration and Mobility' (see also Press Release [IP/11/1369](#)). The so-called GAMM initiative

represents the strategic framework which is necessary to bring added value to the EU's and Member States' action in this area. It can address the EU's concerns and aspirations in the area of migration and mobility more effectively and more efficiently than individual Member States. It provides valuable support and impetus for Member States' bilateral and national policies in this domain.

Also on 18 November 2011, the Commission launched the [EU Immigration Portal](#), offering practical information aimed both at foreign nationals interested in moving to the EU and at those already living in it and who would like to move from one Member State to another (see also Press Release [IP/11/1370](#)).

Measures to reinforce solidarity on asylum between Member States were set out on 2 December 2011 in a Communication 'on enhanced intra-EU solidarity in the field of asylum: An EU agenda for better responsibility-sharing and more mutual trust' ([COM\(2011\)835](#); see also Press Releases [IP/11/1493](#) and [MEMO/11/861](#)).

On 21 December 2011, the Court of Justice ruled that an asylum seeker may not be transferred to a Member State where he risks being subjected to inhuman treatment (see [Judgment](#) in cases C-411/10 and C-493/10, and Press Release [140/11](#)). On the same day, the Court ruled that periods of residence completed by a national of a non-Member State before the accession of that State to the EU must be taken into account in calculating the five-year qualifying period for a right of permanent residence, provided they were completed in compliance with the conditions laid down by EU law (see [Judgment](#) in cases C-424/10 and C-425/10, and Press Release [141/11](#)).

The Commission's '3rd Annual Report on Immigration and Asylum (2011)' was adopted on 30 May 2012 as [COM\(2012\)250](#) (see also Press Release [IP/12/552](#)). The '4th Annual Report on Immigration and Asylum (2012)' was adopted as [COM\(2013\)422](#) of 17 June 2013.

Eurostat provides regular updates on asylum applicants and first instance decisions on asylum applications: see for example Statistics in Focus [5/2013](#) (which confirmed that EU Member States granted protection to 102,700 asylum seekers in 2012, compared to 84,300 in 2011).

An overview of the EU asylum system is given in European Parliament Library Briefing [Transfer of asylum-seekers and fundamental rights](#), 30 November 2012.

Visas

[Council Decision 2008/633/JHA](#) 'concerning access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences' was adopted on 23 June 2008 (background can be found in the November 2005 proposal - [COM\(2005\)600](#); see also Press Release [IP/05/1463](#)).

[Regulation \(EC\) 810/2009](#) of 13 July 2009 establishes a Community Code on Visas (the 'Visa Code'), bringing together all legal provisions governing decisions on visas, aiming to increase transparency, develop legal security and ensure equal treatment of applicants, and also harmonise rules and practices for the Schengen States applying the common visa policy. The Regulation applies to any third-country national who must be in possession of a visa when crossing the external borders of the Member States as required by [Council Regulation \(EC\) 539/2001](#) (see also Press Releases [IP/10/387](#), [MEMO/10/111](#)). A proposal to amend Regulation 539/2001 was adopted by the Commission on 7 November 2012 as [COM\(2012\)650](#) (check progress via [PreLex dossier](#)).

[Regulation \(EU\) 265/2010](#) of 25 March 2010 amends the Schengen Convention and Schengen Border Code with regard to the movement of people holding long-stay visas.

On 7 November 2012, the Commission adopted a Report 'on the functioning of local Schengen cooperation during the first two years of implementation of the Visa Code' ([COM\(2012\)648](#)).

Eurodac

A proposal for a 'Council Decision on requesting comparisons with EURODAC data by Member States' law enforcement authorities and Europol for law enforcement purposes' was adopted by the Commission on 10 September 2009 as [COM\(2009\)344](#) (see also Press Releases [IP/09/1295](#) and [MEMO/09/382](#)). On 7 October 2009, the European Data Protection Supervisor (EDPS) adopted an Opinion expressing doubts about the proposals (see EDPS [Press Release](#)).

The Commission's Annual report on the activities of the EURODAC Central Unit in 2009 was issued as [COM\(2010\)415](#) of 2 August 2010 (see also Press Release [IP/10/1023](#)). The 2010 Report was adopted as [COM\(2011\)549](#) of 12 September 2011, and the 2011 Report as [COM\(2012\)533](#) of 21 September 2012.

For further information, see [Summaries of EU legislation](#), DG Home Affairs [Eurodac](#) page and [the EDPS Eurodac page](#).

FSJ information

On 20 July 2010, the Commission adopted the Communication 'Overview of information management in the area of freedom, security and justice' ([COM\(2010\)385](#)), which:

presents, for the first time, a full overview of the EU-level measures in place, under implementation or consideration that regulate the collection, storage or crossborder exchange of personal information for the purpose of law enforcement or migration management.

On 30 September 2010, the European Data Protection Supervisor (EDPS) issued an Opinion on the Communication (see EDPS [Press Release](#)).

The Communication 'Strengthening law enforcement cooperation in the EU: the European Information Exchange Model (EIXM)' was adopted on 7 December 2012 as [COM\(2012\)735](#) (see also Press Release [IP/12/1330](#)). It concluded that, although information exchange generally works well and no new EU-level law enforcement databases or information exchange instruments are needed, existing EU instruments could and should be better implemented, and the exchanges should be organised more consistently.

Terrorism

A counter-terrorism package was adopted by the Commission in November 2007. Comprising a mix of proposals for legislation and reports, the package specifically addressed support for terrorism, access to explosives, and exchange of passenger name records (PNR). The main document in the package was 'Stepping up the fight against terrorism' ([COM\(2007\)649](#); see also Press Release [IP/07/1649](#)). Other documents in the package can be found on the DG Home Affairs pages on [Fight against terrorism](#). The proposal contained in COM(2007)650 to amend Framework Decision 2002/475/JHA on combating terrorism resulted in the November 2008 JHA Council adopting a new Framework Decision to include three new offences: public provocation to commit a terrorist offence, recruitment for terrorism, and training for terrorism (see Council Press Release [16325/1/08](#)).

February 2009 saw information from EU Member States on counter-terrorism legislation and fundamental rights published by the Commission as 'Synthesis of the replies from the Member States to the Questionnaire on criminal law, administrative law/procedural law and fundamental rights in the fight against terrorism' ([SEC\(2009\)225](#) - text courtesy of Statewatch; see also Press Release [IP/09/293](#)).

On 2 February 2011, the Commission adopted a proposal for a Directive 'on the use of Passenger Name Record data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime' ([COM\(2011\)32](#)). The proposal aims to establish an EU system for collecting and using PNR data, covering all flights into or out of the EU (see also Press Release [IP/11/120](#); check progress via [PreLex dossier](#)).

The Communication 'A European terrorist finance tracking system: available options' was adopted by the Commission on 13 July 2011 as [COM\(2011\)429](#); see also Press Release [IP/11/877](#)). In it, the Commission identified two main objectives for the TFTS: to contribute to limiting the amount of personal data transferred to the United States, and to contribute to efforts to cut off terrorists' access to funding and materials and follow their transactions.

A Radicalisation Awareness Network was launched on 9 September 2011 with the aim of helping to counter violent extremism by supporting the efforts of Member States to prevent violent radicalisation and the recruitment of individuals to terrorist activities (see Press Release [IP/11/1011](#)).

A few days later, on 12 September, the Council adopted [Conclusions](#) on counter-terrorism, in which Ministers welcomed the launch of the Radicalisation Awareness Network and underlined:

the importance of continuing to tackle extremism and radicalisation in all its forms, regardless of motivation, and terrorist modus operandi, dealing with the spreading of extremist propaganda via the Internet, recruitment and incitement to commit terrorist acts.

In April 2013, the largest EU-level anti-terrorism exercise was conducted under the aegis of the ATLAS Network. A simulation involved simultaneous terrorist attacks in Austria, Belgium, Ireland, Italy, Latvia, Slovakia, Spain, Sweden and Romania (see Press Release [IP/13/335](#)).

Europol's '2013 EU Terrorism Situation and Trend Report' ([TE-SAT 2013](#)) showed the total number of terrorist attacks and related arrests in the EU increased significantly in 2012.

Justice

The creation of a Justice Forum was announced in February 2008. Described as 'a multi-disciplinary, collaborative forum of practitioners involved in judicial and legal processes', the Forum was launched on 29 April 2008, with the role of informing the Commission's work on justice policies and practice (see Press Release [IP/08/183](#) and Communication [COM\(2008\)38](#)).

The Communication 'Developing a comprehensive and coherent EU strategy to measure crime and criminal justice: An EU Action Plan 2006 – 2010' was presented by the Commission in August 2006 ([COM\(2006\)437](#); see also Press Release [IP/06/1089](#)).

On 11 January 2009, [Regulation 864/2007](#) 'on the law applicable to non-contractual obligations (Rome II)' entered into force. First proposed in 2003, it aims to ensure that courts throughout the EU 'apply the same law in the event of cross-border disputes in matters of tort/delict, thus facilitating the mutual recognition of court decisions in the European Union' (see [PreLex Dossier](#), Legislative Observatory [Procedure file](#)).

On 21 April 2009, the Commission adopted a report and associated Green Paper on the functioning of rules on jurisdiction of courts and recognition and enforcement of foreign judgments in civil and commercial matters. The Commission also adopted a report concerning implementation of Council Framework Decision 2001/220/JHA on the standing of victims in criminal proceedings (see Press Releases [IP/09/606](#), [MEMO/09/169](#), [IP/09/549](#)).

A report on the 2007 Lugano Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters was published in the Official Journal on 23 December 2009 as [2009/C 319/01](#), with the aim of clarifying the meaning of the Convention and facilitating its uniform application.

On 27 March 2013, the Commission published the first EU Justice Scoreboard ([COM\(2013\)160](#)), with the aim of providing objective, reliable and comparable data on the functioning of national justice systems in the EU (see Press Release [IP/13/285](#) and DG Justice [EU Justice Scoreboard](#) page)

e-Justice

The Communication 'Towards a European e-Justice Strategy' was adopted by the Commission on 30 May 2008 as [COM\(2008\)329](#). It stated that e-Justice:

represents an initial response to the threefold need to improve access to justice, cooperation between legal authorities and the effectiveness of the justice system itself.

The text of the 'Multi-annual European e-Justice action plan 2009-2013' ([2009/C 75/01](#)) was published in the Official Journal on 31 March 2009.

The [European e-Justice portal](#), launched on 14 July 2010, aims to provide quick answers to citizens' legal questions. The site gives information about - and links to - laws and practices in all Member States (see also Press Release [IP/10/956](#)).

European Investigation Order

A proposal was published on 24 June 2010 to establish a European Investigation Order (EIO) in criminal matters, allowing authorities to request their counterparts to investigate, share and gather evidence (see [2010/C 165/02](#) and Press Release [IP/10/1067](#); check progress via the [PreLex Dossier](#)).

Victims of crime

On 20 April 2009, the Commission adopted [COM\(2009\)170](#) - a Report on the application of [Council Directive 2004/80/EC](#) relating to compensation for victims of crime, who are attacked in an EU Member State other than their own (see also Press Release [IP/09/548](#)).

On 18 May 2011, the Commission adopted the Communication 'Strengthening victims' rights in the EU' ([COM\(2011\)274](#); see also Press Releases [IP/11/585](#) and [MEMO/11/310](#)). It recognises that, despite EU action on the rights of victims in criminal proceedings (under [Council Framework Decision 2001/220/JHA](#) and [Council Directive 2004/80/EC](#)) and national legislation on victim protection and support, victims' rights continue to differ significantly across the EU.

The Commission therefore decided to present a package of proposals intended to:

reinforce existing national measures, ensuring that victims of crime are given non-discriminatory minimum rights across the EU, irrespective of their nationality or country of residence.

The package aimed to take a comprehensive approach and therefore addressed the needs of both direct and indirect victims of crime, including immediate family or dependents of direct victims. Seen as a first step towards putting victims at the heart of the EU criminal justice agenda, the package comprised:

- a proposal for a Directive 'establishing minimum standards on the rights, support and protection of victims of crime' ([COM\(2011\)275](#)). [Directive 2012/29/EU](#) was subsequently adopted on 25 October 2012 (see also [PreLex dossier](#) and Press Release [IP/12/1066](#) and European Parliament Library Briefing [Rights and protection for victims of crime](#))
- a proposal for a Regulation 'on mutual recognition of protection measures in civil matters' ([COM\(2011\)276](#)). The final text was signed by Parliament and Council on 12 June 2013 - see [PreLex dossier](#)

The Regulation is intended to complement a proposal by a number of Member States (published on 18 March 2010 as [2010/C 69/02](#)) for a Directive on a European Protection Order (EPO) which would ensure the mutual recognition of protection measures taken in criminal matters. The EPO initiative was approved by MEPs on 14 December 2010 and the final act was adopted as [Directive 2011/99/EU](#) of 13 December 2011 (see also [PreLex Dossier](#)).

At its meeting of 9-10 June 2011, the Justice and Home Affairs Council adopted a [Resolution](#) 'on a roadmap for strengthening the rights and protection of victims, in particular in criminal proceedings'. In it, Ministers call for action at EU level - including legislation - to strengthen the rights and protection of victims of crime.

Women / Domestic violence

Victims of domestic violence should get greater protection under the Regulation 'on mutual recognition of protection measures in civil matters' which will apply from 11 January 2015 (final text signed by Parliament and Council on 12 June 2013; see Press Release [IP/13/510](#) and [PreLex dossier](#)). The Regulation will introduce an EU-wide protection order, so that women who have suffered domestic violence can rely on a restraining order obtained in their home country wherever they are in the EU (see [MEMO/13/449](#)).

Research conducted by the European Institute for Gender Equality (EIGE) and reported on 23 November 2012, showed that domestic violence against women is both widespread and under-reported (see EIGE [Press Release](#)).

Human trafficking

In its 19 June 2012 Communication 'The EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016' ([COM\(2012\)286](#)) the Commission set out 40 measures to help tackle human trafficking (see also Press Release [IP/12/619](#)).

On 25 October 2012, the Justice and Home Affairs Council adopted conclusions on the Strategy (see [Press Release](#)).

A €1.5m initiative to fight organised crime and human trafficking at EU borders was announced on 18 February 2013, focusing on Azerbaijan, Bosnia-Herzegovina, Moldova and Turkey (see Press Release [IP/13/121](#)).

Eurostat's first report on human trafficking in Europe was published on 15 April 2013. [Trafficking in human beings](#) - showed that 23,632 people were identified or presumed victims of trafficking in the EU in 2008-2010. The report also highlighted the failure of most EU member States to implement [Directive 2011/36/EU](#) 'on preventing and combating trafficking in human beings and protecting its victims ... ' (the Anti-Trafficking Directive; see also Press Release [IP/13/322](#)).

On 31 May 2013, the Commission launched the EU Civil Society Platform against trafficking in human beings (see Press Release [IP/13/484](#) and DG Home Affairs [Human trafficking](#) pages).

International divorce

On 24 March 2010, in response to a request from 10 Member States, the Commission published a draft Regulation to allow divorcing couples to choose which Member State's laws apply to their divorce (see Press Releases [IP/10/347](#) and [MEMO/10/100](#)). The initiative was the first to use the 'enhanced cooperation' mechanism allowed for by the [TFEU](#) (Articles 82(3) and 329). [Council Decision 2010/405/EU](#) authorised 14 EU Member States to establish enhanced cooperation between themselves in the area of the law applicable to divorce and legal separation. The act was subsequently adopted as [Regulation \(EU\) 1259/2010](#) 'implementing enhanced cooperation in the area of the law applicable to divorce and legal separation' (see also Press Releases [18149/10](#) and [MEMO/10/695](#)).

In June 2011, new rules entered into force under [Council Regulation \(EC\) 4/2009](#) of 18 December 2008 'on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations' aimed at speeding up maintenance payments when families split up (see also Press Release [IP/11/763](#)).

Drugs

A Communication on an 'EU Drugs Action Plan for 2009-2012' ([COM\(2008\)567](#)) was presented in September 2008, proposing 'wide-ranging measures to strengthen European cooperation to curb the adverse consequences of drug use and cut drug-related crime' (see Press Releases [IP/08/1366](#) and [MEMO/08/571](#)).

A report 'on the assessment of the functioning of Council Decision 2005/387/JHA on the information exchange, risk assessment and control of new psychoactive substances', adopted on 11 July 2011 as [COM\(2011\)430](#), called for tougher action to tackle the growing problem of new synthetic drugs entering the market (see also Press Release [IP/11/855](#)).

Subsequently, on 25 October 2011, in its Communication 'Towards a stronger European response to drugs' ([COM\(2011\)689](#)), the Commission outlined measures to tackle the problem of illicit drugs and the psychoactive substances that imitate their effects. Amongst the measures proposed were a legislative package on drugs; proposals on drug precursors; proposals on the confiscation and recovery of criminal assets and on strengthening mutual recognition of freezing and confiscation orders; and measures to combat money laundering.

Information in criminal proceedings

A draft Directive 'on the right to information in criminal proceedings' was adopted by the Commission on 20 July 2010 ([COM\(2010\)392](#); see also Press Releases [IP/10/989](#) and [MEMO/10/351](#); check progress via the [PreLex Dossier](#)). The 2-3 December 2010 Justice and Home Affairs Council agreed a 'general approach' to the proposal (see Press Release [16918/10](#)), which:

stipulates that any person arrested has the right to receive upon arrest a so-called "Letter of Rights" in a language that he or she understands. It should be drafted in a simple and accessible language so as to be easily understood by a lay person without any knowledge of criminal procedural law.

Subsequently, [Directive 2012/13/EU](#) was adopted on 22 May 2012 (see also Press Release [IP/12/575](#)).

An associated proposal for a Directive 'on the right of access to a lawyer in criminal proceedings and on the right to communicate upon arrest' was adopted on 8 June 2011, as [COM\(2011\)326](#) (check progress via [PreLex dossier](#); see also DG Justice [Rights of suspect and accused](#) page and Press Release [MEMO/13/468](#)).

Criminal records

[Council Framework Decision 2009/315/JHA](#) of 26 February 2009 'on the organisation and content of the exchange of information extracted from the criminal record between Member States' defines the ways in which a Member State where a conviction is handed down against a national of another Member State transmits information about the conviction to the Member State of the convicted person's nationality. It also lays down the framework for a computerised system of exchange of information on convictions. The framework is implemented by [Council Decision 2009/316/JHA](#) of 6 April 2009 establishing both the European Criminal Records Information System (ECRIS) and a standardised format exchanging information from criminal records electronically between Member States.

EU Criminal Policy

The Communication 'Towards an EU Criminal Policy: Ensuring the effective implementation of EU policies through criminal law' was adopted on 20 September 2011 as [COM\(2011\)573](#) (see also Press Release [IP/11/1049](#)). In it, the Commission set out a framework for the further development of an EU Criminal Policy under the Treaty of Lisbon. The Communication:

represents a first step in the Commission's efforts to put in place a coherent and consistent EU Criminal Policy by setting out how the EU should use criminal law to ensure the effective implementation of EU policies. It needs to be designed focusing on the needs of EU citizens and the requirements of an EU area of freedom, security and justice, while fully respecting subsidiarity and the last-resort-character of criminal law.

See also European Parliament Library Briefing [Towards an EU approach to criminal law](#), 14 September 2012.

Information sources in the ESO database

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[3.2.a Asylum, refugees, external frontiers and immigration](#)

[3.2.b Judicial, customs and police co-operation](#)

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[3.2.d Human rights and fundamental freedoms](#)

[3.2.e Civil protection](#)

[3.2.f Religion](#)

[3.2.g Ethics](#)

[3.2.h Terrorism](#)

Further information sources on the internet

- European Commission: DG Home Affairs
 - [Homepage](#)
 - [Immigration](#)
 - [Asylum](#)
 - [Schengen, Borders & Visas](#)
 - [Internal security](#)
 - [Organised crime & Human trafficking](#)
 - [Crisis & Terrorism](#)
 - [Police cooperation](#)
 - [International affairs](#)

- European Commission: DG Justice
 - [Homepage](#)
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 - [EU citizenship and free movement](#)
 - [Civil Justice](#)
 - [Consumer and marketing law](#)
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 - [Criminal Justice](#)
 - [Data protection](#)
 - [Gender equality](#)
 - [Tackling discrimination](#)
 - [Drug Control policy](#)
 - [Relations with Third Countries](#)
 - [Effective justice](#)

- European Commission: DG Eurostat
 - [Crime and criminal justice](#)
 - [Eurostat yearbook 2015](#)
 - [Europe in figures - Eurostat yearbook](#) (see sections 2.7 Migration and migrant population, 2.8 Asylum, and 6.5 Crime)

- Europa
 - Policy areas: [Justice and home affairs](#)
 - Summaries of EU legislation
 - [Justice, freedom and security](#) (subsections include: [Citizenship of the Union](#), [Combating discrimination](#), [Combating drugs](#), [Fight against organised crime](#), [Fight against terrorism](#), [Free movement of persons, asylum and immigration](#), [Judicial cooperation in civil matters](#), [Judicial cooperation in criminal matters](#), [Police and customs cooperation](#))
 - [The Amsterdam Treaty: a Comprehensive Guide: The gradual establishment of an area of freedom](#) [archived], security and justice
 - [Treaty of Nice: A Comprehensive Guide: Thematic provisions](#) [archived]

- European Commission: DG Communication
 - [RAPID](#) press releases database - [Home affairs](#), [Justice, fundamental rights and citizenship](#) (pre-set searches)

- Legislative and policy making information
 - [Treaty on the functioning of the European Union](#): Article 4(2), 67-89
 - EUR-Lex: Legislation: [Justice and home affairs](#)
 - EUR-Lex: Preparatory legislation: [Justice and home affairs](#)
 - EUR-Lex: Consolidated legislation: [Justice and home affairs](#)
 - EUR-Lex: Case Law: [Justice and home affairs](#)
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 - European Commission: DG [Justice and home affairs](#)

- Court of Justice of the European Union: InfoCuria

[Homepage](#): 'at 'Subject-matter' box, click icon at far right to open list of subjects. Select 'Justice and home affairs' and click 'Enter' to return to main search page. Select dates if required. Hit 'Search' at top or bottom of page. Alternatively, in the 'Text' field use appropriate keywords such as 'asylum', 'terrorism' to find relevant cases.

- European Parliament: Legislative Observatory (OEIL)

[Homepage](#): Carry out a [Search](#): scroll down right-hand menu and expand 'Subject'; then expand 'Area of freedom, security and justice' and select appropriate sub-heading.

- Council of the European Union
 - [Justice and Home Affairs Council](#)
- European Parliament
 - [Civil Liberties, Justice and Home Affairs](#) (LIBE)
- European Parliament: Fact Sheets
 - Section on [Common policies](#) has Fact Sheets on [An area of freedom, security and justice: general aspects](#), [Asylum policy](#), [Immigration policy](#), [Management of the external borders](#), [Judicial cooperation in civil matters](#), [Judicial cooperation in criminal matters](#), [Police cooperation](#), [Personal data protection](#)
- Committee of the Regions
 - [Commission for Citizenship, Governance, Institutional Affairs and External Relations](#) (CIVEX)
- European Economic and Social Committee
 - [Employment, Social Affairs and Citizenship](#) (SOC)
- Statewatch - monitoring the state and civil liberties in the European Union
 - [Homepage](#)
 - [Statewatch Observatory: EU asylum and immigration policy](#)
 - [Statewatch Observatory: In defence of freedom & democracy](#)
 - [Statewatch European Monitoring & Documentation Centre on Justice and Home Affairs in the EU](#) (SEMDOC)
 - [Observatory: EU surveillance of passengers \(PNR\)](#)
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