



Fiche de procédure

Basic information		
INI - Own-initiative procedure	2004/2175(INI)	Procedure completed
The future of the area of freedom, security and justice		
Subject 7 Area of freedom, security and justice		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	LIBE Civil Liberties, Justice and Home Affairs	ALDE BOURLANGES Jean-Louis	26/07/2004

Key events			
27/08/2004	Non-legislative basic document published	B6-0006/2004	
22/09/2004	Vote in committee		Summary
29/09/2004	Committee report tabled for plenary	A6-0010/2004	
13/10/2004	Debate in Parliament		
14/10/2004	Results of vote in Parliament		
14/10/2004	Committee referral announced in Parliament		
14/10/2004	Decision by Parliament	T6-0022/2004	Summary
14/10/2004	End of procedure in Parliament		

Technical information	
Procedure reference	2004/2175(INI)
Procedure type	INI - Own-initiative procedure
Legal basis	Rules of Procedure EP 134o-p3
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/6/23046

Documentation gateway					
Non-legislative basic document		B6-0006/2004	27/08/2004	EP	

Committee report tabled for plenary, single reading		A6-0010/2004	29/09/2004	EP	
Text adopted by Parliament, single reading		T6-0022/2004 OJ C 166 07.07.2005, p. 0024-0058 E	14/10/2004	EP	Summary
Commission response to text adopted in plenary		SP(2004)2832	11/11/2004	EC	
Commission response to text adopted in plenary		SP(2004)3019/3	13/01/2005	EC	

The future of the area of freedom, security and justice

The committee adopted the own-initiative report by Jean-Louis BOURLANGES (ALDE, FR) on the future of the area of freedom, security and justice (AFSJ). MEPs recommended that the Council give priority to: enhancing the legitimacy of the AFSJ inter alia by applying the codecision procedure and the principle of transparency; promoting fundamental rights and freedoms through policies linked to the AFSJ, including systematic training in European law for judges, lawyers and police officers and strengthening the concept of Union citizenship; and enhancing credibility by including a timetable for each objective and reinforcing coordination between the Union and the Member States.

The committee also listed a number of specific objectives to be attained over the next 5 years, including:

- establishing a coherent immigration policy in order to develop legal routes to migration, meet the new demographic and economic challenges currently facing the EU, support the social, cultural and political integration of migrants and establish a framework for international cooperation with the countries of origin;
- creating an appropriate legislative framework for combating illegal immigration, by harmonising this concept among the Member States and setting up a common policy on preventing clandestine employment and combating trafficking in human beings;
- defining a repatriation policy ensuring common standards of protection for repatriated persons and obliging Member States to respect the dignity and physical integrity of persons expelled under repatriation operations;
- defining a uniform status and a common asylum procedure, while strengthening measures for the protection of refugees or persons requiring humanitarian aid;
- encouraging mutual recognition among judicial authorities and adopting harmonisation measures for determining the offences covered by the European Arrest Warrant and minimum guarantees in the event of detention.

The future of the area of freedom, security and justice

The European Parliament adopted a resolution based on the own-initiative report by Jean-Louis BOURLANGES in anticipation of the European Council in November laying down the priorities for the future of the area of freedom, security and justice (AFSJ).

Parliament noted the significant progress that has been made, but also the many delays in the EU's efforts to implement the AFSJ. It was critical of the fact that progress in the field of asylum and immigration has been mainly devoted thus far to action to counter illegal immigration and has not been accompanied by sufficient efforts to promote the integration of legally resident aliens. On this point, it felt that refugee camps outside the Union should not be envisaged since they entail a clear risk of fundamental rights being violated.

Although Article 29 of the EU Treaty confers on the EU responsibility to provide citizens with a high level of safety within an area of freedom, security and justice, Parliament characterised the EU's response as more virtual than real. This is partly due to the unanimity rule, which makes it very difficult to take binding decisions.

Parliament regretted that, over the last five years, some Member States within the Council have opposed the establishment of standards of protection of citizens' rights and individual citizens and that the lack of such standards has often been cited (sometimes even by the same Member States) as a reason for blocking mutual recognition.

Parliament went on to make certain recommendations to the European Council and the Council when defining the future of the AFSJ. These include enhancing the legitimacy of the AFSJ by using the codecision procedure, and qualified majority voting in the Council. Parliament also advocated extending the jurisdiction of the Court to cover the AFSJ, initially for immigration measures and, subsequently, for measures connected with combating terrorism and international crime. Other recommendations include a series of measures to promote fundamental rights and freedoms through policies linked to the AFSJ and credibility both at Union level and in terms of the Member States' response.

Parliament also recommended a series of specific objectives regarding the immigration policy, defining a coherent legislative framework with a view to the attainment of certain objectives. These include establishing a coherent immigration policy in order to develop legal routes to migration, and meeting the new demographic and economic challenges currently faced by the Union. Other recommendations looked at judicial cooperation in both civil and criminal matters.