



Statewatch Briefing Internal Security Strategy for the European Union

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The Stockholm Programme - An open and secure Europe serving and protecting the citizens adopted by the European Council in December 2009 contained provisions on an internal security strategy of the EU.

Among political priorities set out in the programme there was the following statement:

“An internal security strategy should be developed in order to further improve security in the Union and thus protect the lives and safety of European citizens and tackle organised crime, terrorism and other threats. The strategy should be aimed at strengthening cooperation in law enforcement, border management, civil protection, disaster management as well as criminal judicial cooperation in order to make Europe more secure. Moreover, the European Union needs to base its work on solidarity between Member States and make full use of Article 222 TFEU.”

A more detailed explanation of this proposal was set In Chapter 4 of the Stockholm Programme. The European Council expressed its conviction that:

“the enhancement of actions at European level, combined with better coordination with actions at regional and national levels, are essential to protection from trans-national threats. Terrorism and organised crime, drug trafficking, corruption, trafficking in human beings, smuggling of persons and trafficking in arms, among others, continue to challenge the internal security of the EU. Cross-border widespread crime has become an urgent challenge which requires a clear and comprehensive response. Action of the Union will enhance the work carried out by Member States’ competent authorities and improve the outcome of their work.”

That general diagnosis of threats and challenges was followed by guidelines formulated by the European Council and addressed to the Council and to the

Commission. The call for action concerned working out a comprehensive EU internal security strategy based on the following principles:

- *“clarity on the division of tasks between the EU and the Member States, reflecting a shared vision of today's challenges,*
- *respect for fundamental rights, international protection and the rule of law,*
- *solidarity between Member States,*
- *reflection of a proactive and intelligence-led approach,*
- *the need for a horizontal and cross-cutting approach in order to be able to deal with complex crises or natural or man-made disasters,*
- *stringent cooperation between EU agencies, including further improving their information exchange,*
- *a focus on implementation and streamlining as well as the improvement of preventive action,*
- *the use of regional initiatives and regional cooperation,*
- *the aim of making citizens aware of the importance of the Union's work to protect them”.*

The Stockholm Programme does not view internal security strategy as an autonomous, closed and self-sustaining set of guidelines, instruments and actions undertaken by the EU bodies and the Member States. The strategy rather is seen in a wider context of blueprints already approved by the EU institutions like the 2003 European Security Strategy and sectoral strategies already adopted by the Council in 2005 in the area of internal security (criminal justice and home affairs) as well as strategic documents to come in the near future. It should also take into account “other EU policies, in particular those concerning the internal market”. The stress is also put on the external dimension of EU internal security strategy, especially on relations with the EU's neighbours and particularly with the candidate and potential candidate countries.

As to institutional matters, the European Council is setting up the Internal Security Committee (COSI, under the Lisbon Treaty) as a body in charge with developing, monitoring and implementing the strategy. This carries potentially a heavy-loaded responsibility for managing EU internal security policies given the following conviction expressed by the European Council: “As the policies followed in the fields of justice and home affairs gradually reach maturity, they should support each other and grow in consistency. In the years to come they should fit smoothly

together with the other policies of the Union.” The Commission is asked: “to consider the feasibility of setting up of an Internal Security Fund to promote the implementation of the Internal Security Strategy so that it becomes an operational reality.”

The Spanish Presidency undertook an ambitious efforts to prepare an Internal Security Strategy for the European Union. Soon before the inauguration of the Spanish presidency in the EU, senior officials from Interior Ministries of the Member States took part in a launching meeting in Madrid on 17-18 December 2009. The Spaniards put on the table a draft of the document (*Towards a European Security Model*) and called for consultation. That document contained general description of the content of EU internal security policies and specific target-oriented recommendations gathered in three general parts:

- Protecting People in Europe within a Global Society;
- Towards an European Security Model,
- Next Steps.

The strategy should be founded on certain values and principles, established in the Treaties and set out in the Charter of Fundamental Rights:

- Respect for fundamental rights, international protection, the rule of law and privacy,
- The protection of all citizens, especially the most vulnerable, with a focus on victims of crimes,
- Transparency and accountability in security policies,
- Dialogue as the means for resolving differences in line with the principles of tolerance, respect and freedom of expression.
- Integration, social inclusion and the fight against discrimination
- Solidarity between Member States,
- Mutual trust.

Strategic guidelines put forward by the Spanish presidency include:

- A wide and comprehensive approach to internal security,
- Ensuring the effective democratic and judicial oversight of security activities,
- Prevention and anticipation: a proactive, intelligence led approach,
- Development of a comprehensive policy of information exchange,
- Operational cooperation,
- Judicial cooperation in criminal matters,
- Integrated border management,
- A commitment to innovation and training,
- External dimension of internal security/cooperation with third countries,
- Flexibility to adapt to future challenges.

Shortly after the Madrid meeting, the incoming Presidencies - the 'single' Spanish Presidency as well as the Trio Presidency consisting of Spain, Belgium and Hungary - issued programmes referring also to the issue of internal security strategy. In Chapter IV point 6 of the *Programme for the Spanish Presidency of the Council of the European Union 1 January - 30 June 2010*, there is a declaration that:

“Members of the Union should agree on the European Strategy for Home Security, promoting the creation of a European model that will gather the EU guiding principles and strategic lines on the matter.”

The Trio Presidency's general 18-month programme (17696/09, 22 December 2009) provides that:

“new ways of maximizing the effectiveness of the existing EU instruments will be explored in order to reinforce operational cooperation and to develop synergies in the framework of an integrated EU internal security strategy”.

And in another recital it is declared that:

“The three Presidencies will work on a multidimensional EU sustainable strategy on internal security which will reflect the state of play, future challenges and strategic action of the EU in this field. This strategy will cover the main priority policy areas in the EU law enforcement cooperation. One priority concrete action will be the development of the European Criminal Intelligence Model (ECIM)”.

As a follow-up, Trio Presidency Programme in the area of freedom, security and justice (5008/10, 4 January 2010) points out that:

“The development of the Area of Freedom, Security and Justice requires a concerted global structure covering the existing and forthcoming instruments. To this aim, the three Presidencies will develop, through a strategic approach, an Internal Security Strategy, in line with the Stockholm Programme”.

Specifically in a short Chapter IV of this document the Trio Presidency declared its commitment:

“to develop a multidimensional Internal Security Strategy, in line with the Stockholm Programme. One of a series of concrete action will be the further development of the so-called European Criminal Intelligence Model (ECIM). The operational dimension of the EU internal security co-operation will be assessed and developed with a view to maximising the synergies between the national, regional and European action levels and between the relevant actors.”

The draft internal security strategy will be the focus of the informal JHA meeting in Toledo on 21-22 January and is already put on the agenda of the JHA Council on 25-26 February 2010.

January 2010

Reference

1. Spanish government: “Towards a European Security Model”:
<http://www.statewatch.org/news/2010/jan/spain-draft-internal-security.pdf>

2. JHA Trio Presidency Programme (January 2010 - June 2011):

<http://www.statewatch.org/news/2010/jan/eu-council-jha-trio-5008-10.pdf>

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