



## Mitteilung für die Presse Press Release communication presse

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### **Informal EU Ministers' Meetings in Germany Begin with the Conference of Justice and Home Affairs Ministers in Dresden**

The Justice and Home Affairs Ministers of the European Union will be meeting in Dresden from January 14-16, chaired by Federal Minister of Justice Brigitte Zypries and Federal Minister of the Interior Dr. Wolfgang Schäuble.

Sixty-five ministers have announced their participation. They will be accompanied by approximately 260 delegation members. Media interest is unusually intense: Almost 500 journalists from throughout Europe have been accredited for the press programme. Consistent with the character of the informal meetings, the plenary sessions will be complemented by informal exchanges of opinions and an introduction to the host country. The agenda for the government guests from throughout Europe will thus also include a visit to the *Frauenkirche* on Monday and a tour of the *Grüne Gewölbe* on Tuesday.

The focus of the consultations will be on strengthening cross-border police cooperation by incorporating the Prüm Treaty into the EU legal framework, the future of judicial cooperation in the fields of family and succession law, as well as cross-border use of IT in the justice sector. Additional topics include the envisaged common European strategy to combat illegal migration by strengthening cooperation among border police, and a discussion on the future design of European internal policy beginning in 2010 (following expiration of the Hague Programme).

## **Improving police cooperation / Incorporating the Prüm Treaty into the Legal Framework of the EU**

Since the international law Treaty of Prüm was signed on 27 May 2005 by Germany, Belgium, Spain, France, Luxembourg, the Netherlands and Austria, four additional EU Member States – Italy, Finland, Portugal and Slovenia – have submitted their declarations of accession to the Treaty. The Treaty's particular added value lies in the substantially improved and efficiently designed procedure for exchanges of information. The Treaty enables participating States investigating criminal offences to determine whether data are stored regarding DNA evidence or fingerprints by way of direct access to the DNA and fingerprint databases of the other States. If a match is found, the States transfer the data regarding the person sought among themselves via mutual legal assistance (e.g., the name, address and additional information). The Treaty also enables automated access to national databases in the area of vehicle registration data.

To improve police cooperation, the Treaty also provides for operative measures such as common patrols, the possibility of transferring sovereign authority to police forces from other contracting States, or assistance for major events.

Along with the Prüm contracting partners and the European Commission, the German Presidency plans to initiate the incorporation of the Prüm Treaty into the legal framework of the EU. On the occasion of the signing of the joint Ministers' declaration of 5 December 2006 in Brussels, the Prüm contracting partners most recently underscored the endeavour to extend this to the entire EU.

## **The Future of European Internal Policy**

Following the half-time evaluation of the Hague Programme for strengthening freedom, security and justice in the European Union, in force since 2004, the opportunity presents itself in 2007 and 2008 to engage in an orientation debate on the future design of European internal policy in advance of the actual negotiations on a new multi-year programme. This debate should be transparent, take into account all aspects of European internal policy, and include external expertise as well. The first initiatives in this direction could proceed from the informal meeting in Dresden.

## **Cooperation in Migration Policy**

During the Finnish Presidency, the British Home Secretary submitted a working paper on behalf and in the name of several EU Member States, including Germany. The initiative proposes close cooperation among EU Member States in controlling migration and determining goals, principles and priorities of a common migration policy, particularly with a view to combating illegal immigration. The joint paper addresses the topics “Illegal immigration, repatriation and external borders,” “Relations with third countries and co-development,” as well as “Cooperation in the area of asylum.” A special aspect of this is the offer to promote residency limited in time (circular migration) as an instrument of migration and development policy. In this context, it would be possible to announce *voluntary national quotas to the Commission for negotiations with third countries.*

### **The Future of Judicial Cooperation in Family and Succession Law**

Europe is growing together. Our citizens live, work and engage in economic activities in other Member States. The number of family relationships that transcend borders is increasing as well. Many married couples own property which is not located in the State where they live.

Family law in the Member States is particularly influenced by the respective national cultures and traditions, with the result that to some extent, the legal systems in the Member States vary considerably from one another. For example, in addition to traditional marriage, not all Member States have legally recognised forms of other partnerships, for example marriages between homosexual partners or same-sex life partnerships. Similarly, the Member States have differing possibilities for dissolving marriages and comparable partnerships, as well as varying attendant legal effects. These differences continue in the national rules regarding succession and inheritance.

The German Presidency has set the goal of working toward concrete and palpable improvements for citizens in their everyday lives. For this reason, international cooperation in family and succession law cases is to be improved. This does not involve a harmonisation of substantive law – there is no legal basis for this in the EC Treaty – but rather issuing rules with regard to international jurisdiction, recognition and enforcement of court decisions, as well as achieving uniformity in so-called conflict-of-law rules. Conflict-of-law rules determine which national law will be applicable to a concrete case with international aspects. Consultations here will focus

on the general direction of future action. The goal must be to attain more legal certainty in these cases as well.

### **Cross-border Use of IT in the Justice Sector**

To complete their judicial tasks, all Member States of the EU successfully utilise information and communication technology. As such, e-justice already works in the national framework. In a European area of freedom, security and justice, with permeable borders and a multitude of cross-border activities, the access to justice and its effectiveness must not fail because of “information-technological internal borders of the EU.” For this reason, the German Presidency is striving to make even better use of the opportunities presented by information technology for the benefit of citizens who seek justice in a manner transcending borders, and also for cooperation among judicial organs – for example in criminal prosecution throughout Europe.

Among the topics to be discussed in Dresden are the previous approaches for networking the justice sector in Europe and the steps necessary to continue this in the future

### ***Ministers’ Programme from 14-16 January 2007 in Dresden:***

#### Sunday, 14 January 2007

3:30 pm	Conference of the Trio Presidency with the EU Commission Germany, Portugal, Slovenia with the EU Commission
5:00 pm	Beginning press conference of the Trio Presidency with the EU Commission
8:00 pm	Welcome of all visiting Ministers with their delegations, followed by Dinner

#### Monday, 15 January 2007

9:00 – 11:00 am	Plenary session I: Incorporating the Prüm Treaty into the legal framework of the EU
11:00 pm	Family photograph
11:15 am – 12:30 pm	Plenary session II: The future of judicial cooperation in the fields of family and succession law

12:30 pm	Press conference of the Presidency
1:30 pm	Lunch for the Ministers at Albrechtsberg Palace
2:45 pm	<i>Transfer of the Ministers to the Frauenkirche</i>
3:00 pm	Tour of the <i>Frauenkirche</i> and concert
4:30 – 6:30 pm	Plenary session III: Future of European internal policy as of 2010
6:30 pm	Press conference of the Presidency
7:45 pm	All delegations drive/walk to the <i>Residenzschloss</i> (Palace)
8:00 pm	Reception hosted by the Free State of Saxony, followed by Dinner

Tuesday, 16 January 2007

9:30 – 11:00 am	Plenary session IV: E-justice in Europe – cross-border use of information technology in the justice sector
11:15 am	Press conference of the Presidency
11:45 am	Tour of the historic <i>Grüne Gewölbe</i> (Ministers)
1:00 pm	Concluding lunch buffet for all participants