



Slovensko predsedstvo EU 2008  
Slovenian Presidency of the EU 2008  
La Présidence slovène de l'UE 2008

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## **Priority tasks of the Slovenian Presidency in the field of Justice and Home Affairs**

### **Presentation of Dragutin Mate, Minister of the Interior of the Republic of Slovenia, to the LIBE Committee of the European Parliament Brussels, 22 January 2008**

Distinguished Chairman, Members of the LIBE Committee, Ladies and Gentlemen,

It is a great honour for me to present to the European Parliament the priorities of the Slovenian Presidency in the field of Justice and Home Affairs. We have been preparing for the Presidency for over two years and have ambitious plans.

Although we have a small group of experts as compared to larger countries, I personally believe that this can be to our advantage, since it enables us to make decisions more quickly.

Slovenia is one of the smallest new Member States located at the external border of the European Union, which is certainly not without consequences. As regards security, we are largely dependent on cooperation with other countries and on information we receive from them. Our security depends to a great extent on the security of our neighbours, while management of the external borders places upon us a great responsibility, which we have to justify in the eyes of European citizens. It is also worth mentioning that we are a very young state, which introduced a market economy 17 years ago and became independent, and thus human rights and protection of privacy are particularly important to us.

Our Presidency has found itself in a transitional period, given that we are all anticipating the successful ratification of the Lisbon Treaty, which will substantially change the cooperation between the Council and the Parliament in the area of police cooperation. In the meantime, however, we should not just wait passively for the outcome of the ratification process but must work at full steam, as there are many dossiers that must be adopted by the expiry of the Hague Programme at the end of 2009 and since we have made promises to our citizens.

Allow me to present some of our priorities.

On 21 December, nine new Member States entered the Schengen area. This was a historic even for the entire European Union. I believe that only now are we able to talk about a united Europe, as the abolishment of internal borders will connect us even more. I should like to thank the European Parliament for its positive position on this enlargement. The new Member States invested a great deal of effort in that project, and I personally worked hard towards our entry into the Schengen area as early as in December 2007. I am convinced that we shall very shortly be able to observe the positive impact of the enlargement. As regards Slovenia, I am already able to report to you that two weeks ago, the Slovenian and Italian Police, in a joint operation that lasted several days, apprehended criminals who had robbed a petrol station on the Slovenian side and fled to Italy. Due to Schengen Slovenia signed with its neighbours upgraded agreements on police cooperation that enable such joint operations.

There have also been positive results at the external border, where since 1 September last year we have refused entry to 1,770 persons listed in the Schengen Information System and seized 140 stolen vehicles. I assure you that the present external border is as safe as the previous ones and that there is no reason for concern. This was confirmed by every evaluation committee visiting our countries in 2006 and 2007.

We only have one task ahead of us, which is to lift internal border controls at airports in the new Member States by the end of March. We envisage starting the evaluation of Switzerland, which could join Schengen by late November this year. We believe this is feasible since Switzerland has no external borders, although in such a case Switzerland should also begin preparations to enter SIS II as soon as possible.

Romania and Bulgaria have also begun preparations to enter the Schengen area. During our Presidency we shall proceed to draw up the evaluation schedule for those two countries. Although this is only in the early stages, meaning that actual evaluations will start after our Presidency, it is important to launch the process and for both countries to start procedures for the implementation of the Schengen standards at their external borders.

Let me also touch upon the second generation of the Schengen information system. As you are aware, the current deadline to be connected to the new system is 18 December 2008. However, according to recent expert opinion, a sudden migration of all states to a new system in a mere eight hours would pose a great risk. Namely, the plan currently in place envisages a transition from SIS I to SIS II for 15 Member States only. Now, with 24 Member States, additional safeguards will have to be developed to avoid overburdening the system. Experts have drawn up a proposal involving the development of a converter between SISone4all and SIS II which would enable the states to migrate in sequence and not all at once. This would considerably reduce the risks. Given the fact that according to the Commission the development of the system is well under way, the Presidency believes that in order to provide additional system stability, the connection to SIS II could be postponed for some months. This will be discussed at the Informal Meeting of the EU Council on Justice and Home Affairs, which will be held in Slovenia later this week.

The development of tourism and the economy between the EU and its neighbours induces us to expect an increase in the number of passengers crossing our borders in the future. We believe that now is the right time to reflect on how to move from the phase of integrated border management to the phase of integrated access to the territory of the European Union. This is why Slovenia wishes to promote discussion on how modern technologies can be applied to the surveillance of the external border and to quick and targeted passenger control. Furthermore, we must also develop cooperation between the Member States, where the FRONTEX Agency will no doubt play a very important role. Slovenia will organise a ministerial conference in March together with the Commission in order to have a very open discussion on these issues. The package of three Communications on the border, which will be presented by the Commission in February, will serve as the basis for our discussions.

Slovenia proposes to launch a debate on how to develop a true common policy in the field of legal migration. As you are aware, this is an extremely sensitive field that has to be tackled carefully. On the one hand, there has been a noticeable increase in xenophobia in Europe as well as problems in immigrant integration, while on the other hand we are receiving increasingly precise data indicating that due to a demographic decrease in future decades, the European Union will need additional labour force.

Slovenia's opinion is that immigrants enrich our society, bringing into our environment a piece of the world and culture that would otherwise remain inaccessible to us. It is imperative that they be enabled to integrate successfully and afforded the same opportunities for work, study and success in life. Slovenia is already now finding itself in a situation where the labour force is lacking in certain branches of the economy, trying to fill this gap with either seasonal workers or workers who remain in Slovenia for a longer period, thus contributing to our economic development.

This month, we have already launched a discussion in the Council on the proposal for a Directive on highly skilled workers, introducing the so-called Blue Card. Further, during our Presidency we shall launch a discussion on the framework Directive introducing a single application procedure for a single permit for third-country nationals to reside and work lawfully in the territory of a Member State and defining a common set of rights for third-country workers legally residing in a Member State who are not yet entitled to the status of long-term resident. We intend to complete the first reading at the expert level by June, drawing up a list of issues that are simple and a list of issues that are problematic. On such a basis, France will be able to start serious negotiations between the Member States and the Parliament on possible final solutions.

Of course, the possibility of legal entry into the European Union for foreign workers will have no impact unless an effective policy of returning illegal immigrants is developed in parallel. This is why we will give priority treatment to the Return Directive, where after two years the Council has still not reached a compromise with the European Parliament. I believe that we should find common ground on this topic, as the policy of returning illegal immigrants is one of the key elements we have at our disposal for a stable and balanced migration policy. In December we attended the first political triologue with the rapporteur of the Parliament and I believe that we must continue on this path. We are currently planning to meet again in late February or

early March. However, it is a fact that we are in a critical phase where it is imperative for the Council and the Parliament to start talking openly in order to enable us to fully understand our positions. When we are debating the practical implications of individual provisions of the Directive, I feel that there is a great divergence between the perception of the Member States and that of the Parliament, which is why I believe that in our discussions we must debate actual specific cases, with the intention of reconciling our views on return procedures that we wish to have in place and their implications on the overall migration policy. Also, it is my opinion that after two years the time has come for all of us to make a shift in our thinking in order to reach a compromise. Without it, this Directive will remain on the table for a long time.

Furthermore, we shall invest all our efforts in discussing the Directive providing for sanctions against employers of illegally staying third-country nationals. Such workers, residing and working in the EU without permits, have no opportunity to have a decent life and enjoy the fruits of their work. In the media we can even read about extreme cases where illegal immigrants are smuggled into the European Union by organised crime groups against large sums of money and, upon arriving into the European Union, handed over to other groups that take away their documents and practically enslave them. Europe must not allow such situations. Slovenia is endeavouring to develop opportunities for legal work and a decent life for immigrants in our country, and we are counting on good cooperation by the Member States and the Parliament on this dossier, with a view to finding a solution as quickly as possible. I am personally quite optimistic, as I have detected a great deal of agreement among my colleagues.

As for asylum, you know that the Commission is about to prepare proposals for the second phase of the common asylum policy. The proposals are expected at the end of our Presidency, so we decided to organise a discussion at our informal council, which takes place this Friday (25 January 2008). We will invite delegations to present their opinions on what practical cooperation between Member States on asylum should be like in the future. The president of your committee has also been invited to present your views on this issue at the informal council.

Let me also mention the visa policy. Here we will discuss the Draft Regulation amending the Common Consular Instructions on visas for diplomatic and consular posts in relation to the introduction of biometrics, including provisions on the organisation of the reception and processing of visa applications. Despite the fact that work on the dossier was slower than expected, I am of the opinion that it needs to be continued and accelerated so that we can launch the use of the Visa Information System in time. I hope that technical discussions with the Parliament will start shortly.

In December the responsible Council working group completed the first reading of the draft Community Code on Visas, and as soon as possible the Slovenian Presidency wishes to arrange with the Parliament for the first technical dialogue to take place.

As you know, Slovenia was the second Member State to open a common application centre. Ours was opened in cooperation with Austria, Hungary, Belgium and Luxembourg and is located in Montenegro. We are also very interested in joining centres established by other Member States, as our consular network is rather

limited. We are of the opinion that this possibility is of great importance, particularly for small Member States, and we will strive for an agreement in this area as soon as possible.

If I now move on to the area of police cooperation, I would like to first point out two dossiers. One is Europol and the other the Treaty of Prüm. They are especially close to my heart. Let me explain why. In September 2006 I met with the German and former Portuguese minister in Berlin to discuss the joint programme of the Presidency. As you are aware, the Constitutional Treaty introduced the cooperation of the Trio Presidency. At that meeting we discussed the need to take an evolutionary step forward in the field of police cooperation if we wanted to be effective in the fight against serious forms of crime, especially organised crime and terrorism. The key to success in this field is cooperation between police authorities and the exchange of information. However, due to its legal basis in the form of an international convention, Europol responded to new trends rather slowly, as any change needed to be ratified by 27 national parliaments, and the Treaty of Prüm only had 7 signatories. Both instruments are fundamental for effective police cooperation, but under the circumstances the perspective for rapid development in the area of police cooperation was very slim.

For this reason we decided to make the transformation of Europol into a European agency and the transfer of the Treaty of Prüm into European legislation the key priorities of our Trio Presidency. By completing both dossiers by June this year, we would prove that the European Union, even in such sensitive areas, can effect great change in a year and a half. Both my predecessors worked at an incredible pace throughout 2007, and I am determined to bring both proposals to a close in the Council. This is essential if we want to have effective mechanisms for combating crime in the next decade.

If I focus on Europol first, I have to say that a conversation I had with its director made me aware of another, internal Europol's reason why we have to adopt the Decision on the establishment of Europol by June this year. As you know, Europol can employ staff at key posts only temporarily. For some time this was beneficial, as it encouraged the exchange of experience between the Member States, but now that we have started discussing its legal basis, Europol's employees do not know if they will still have a job and what that job will be like after 2010. Under these circumstances the director of Europol is finding it increasingly difficult to recruit good-quality staff. Any delay in deciding on Europol's legal basis may lead to its professional stagnation, which is in complete opposition to our common goals.

In this connection I would like to express my gratitude for the timely discussion of the report which took place last week at the plenary session (16 January 2008), for we need your opinion as soon as possible to be able to reach political agreement in the Council by June. I followed the discussion on the Internet with great interest, and I think that for your part you also expect my position on the proposed amendment to build a revision clause into the Decision according to which the Decision on Europol would be opened for discussion six months after ratification of the Treaty of Lisbon. The introduction of such a clause would mean that, provided the ratification process is successful, the Decision will be reopened in co-decision with the Parliament, which would mean that, regardless of what we adopt this year, the uncertainty concerning

the future of Europol will be prolonged until at least 2010 or 2011. This, I dare say, would be simply disastrous for Europol. Instead of making it more effective and flexible, we would achieve exactly the opposite.

Based on your discussion I have asked my colleagues to carefully study all your amendments to the Decision, and shortly we will examine them one by one in a working group with the Member States. According to our preliminary assessments quite a number of Member States should support some of them, and we will do our best to come to an agreement for the inclusion of as many as possible.

As for the Treaty of Prüm I can say that our work schedule is the same. The German Presidency reached agreement on the Decision integrating the Prüm treaty into EU law, the Portuguese Presidency on the Implementing Decision, and Slovenia is planning an agreement on the third part, i.e. a manual on setting up information links between national data systems. We are counting on receiving the Parliament's opinion on the entire package in time for us to be able to complete this dossier by June. My personal belief is that Prüm cooperation brings us previously unimaginable possibilities. By having the possibility of exchanging data on DNA, fingerprints and number plates, we will actually be able to open the door to a common area of security in the European Union. The success of Europol and Prüm would be a good legacy for the next Trio Presidencies and a sound basis for their further work in our field.

Any information exchange between Member States must of course be based on the protection of this information. Our goal is tracking down criminals and terrorists, and it is no one's intention to study data on innocent people. From this point of view the planned adoption of the Framework Decision on Data Protection represents a great step forward.

In the fight against terrorism, our Presidency will work on three axes. The first axis is the continued implementation of the action plan against terrorism. We will especially concentrate on the prevention of terrorist use of explosives. Control over precursors used for the manufacture of explosives needs to be stepped up to prevent or at least considerably hinder access to those chemicals that have so far been easily or even freely accessible. In this context we will start a discussion on the action plan on stepping up the security of explosives.

The second axis is the Directive on critical infrastructure. Here as well, we have to continue work and perhaps achieve political agreement by the end of our Presidency.

The third axis is the Commission's proposal for a framework decision on the use of passenger name records. No working group of the Council has discussed this proposal, so we are not yet familiar with the Member States' positions. I know that the Parliament gives special attention to this proposal, and I think it would be a shame if potential different positions on this dossier would make our cooperation under the third pillar more difficult. If I am to be entirely honest, we do not yet have a clear-cut strategy on how to proceed. In a few days, at the informal council, we will exchange the first views on this proposal at the ministerial level and on this basis we will prepare a plan of work during our Presidency. I will of course duly inform you of the outcomes of this discussion.

Allow me to conclude with external relations. Here we will implement the ongoing agenda, while a specific Slovenian contribution will be the area of the Western Balkans.

Our goals are to strengthen cooperation between police authorities in the Western Balkans in the fight against crime and to transfer certain EU security standards and good practices to that area. We are planning to achieve this with the project "Organised Crime Threat Assessment for the Western Balkans". The long-term objective of the project is for Europol to obtain information on the activities of criminal groups in the Western Balkans, which will improve the fight against crime in the European Union.

I would like to thank you for your attention and I look forward to cooperating with you. I hope that in five months' time I can share with you the successes of a presidency held by a small country, which only joined the Union less than four years ago.