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NOTE

de la :	Présidence
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Subject :	Plan d'action du Conseil et de la Commission mettant en œuvre le programme de La Haye visant à renforcer la liberté, le sécurité et la justice dans l'Union européenne

Répondant à l'invitation du Conseil européen, le Conseil et la Commission ont établi le présent plan d'action. Il traduit le programme de La Haye en actions concrètes. En l'adoptant, le Conseil et la Commission réitèrent par ailleurs l'importance qu'ils attachent à la transposition correcte et dans les délais des actes législatifs adoptés, à la mise en œuvre effective des mesures décidées ainsi qu'à leur évaluation dans la pratique. Le Conseil Européen a invité, dans ce cadre, la Commission à lui soumettre un rapport annuel sur la mise en œuvre de ce plan d'action.

1. Ce programme s'appuie sur la Communication de la Commission (8922/05) dont le Conseil se félicite et dont il a pris connaissance avec le plus grand intérêt.
2. Le Conseil et la Commission entendent que ce plan d'action devienne le cadre de référence de leurs travaux au cours des cinq années à venir, étant entendu qu'il :

- doit être complété par le plan d'action drogue qui est soumis à l'approbation du Conseil/Conseil européen (8652/1/05 REV 1 + COR 1), par le plan d'action sur la lutte contre le terrorisme adopté par le Conseil européen le 17/18 juin 2004 (10586/04) et par la stratégie sur les aspects externes de l'espace de liberté, de sécurité et de justice qui sera soumise au Conseil européen en décembre 2005 ;
- doit conserver une certaine flexibilité, par exemple pour tenir compte au mieux des exigences de l'actualité ;
- sera actualisé fin 2006, de sorte que le Conseil européen puisse établir les priorités législatives et opérationnelles de l'Union en matière de justice et d'affaires intérieures ;
- reprend la liste des mesures législatives (en italique) et non législatives que le Conseil et la Commission estiment nécessaires pour concrétiser les orientations énoncées dans le programme de La Haye. L'adoption de cette liste ne préjuge ni de la portée ni du contenu des propositions de mesures qui seront négociées dans le respect des dispositions des traités. Sauf indication contraire, le plan précise la date à laquelle il est attendu qu'une initiative soit prise par la Commission ou un Etat membre.
- sera mis en œuvre dans le respect strict des bases légales prévues par les traités et des principes de solidarité, de subsidiarité et de proportionnalité ;
- ne porte pas atteinte au droit d'initiative de la Commission dans les matières visées au Titre IV du TCE et au droit d'initiative de la Commission et des Etats membres dans les matières visées au Titre VI du TUE ;

- prend dûment en compte les débats qui ont eu lieu au sein du Parlement européen en vue et à la suite de la présentation par la Commission de sa Communication (doc. 8922/05) et ne porte pas atteinte aux prérogatives de celui-ci;
3. Le Conseil est invité à approuver ce plan d'action et à le transmettre au Conseil européen afin qu'il en prenne note.

1. **GENERAL ORIENTATIONS**

1.1 Evaluation

- **Setting up of a system for objective and impartial evaluation of the implementation of EU measures in the field of Freedom, Security and Justice**
 - Communication on and *Proposal for the creation of an evaluation mechanism, as envisaged by Article III-260 of the Constitutional Treaty (2006)*

1.2. Respect and active promotion of fundamental rights

- **Framework Programme “Fundamental Rights and Justice” under the new Financial Perspectives (2005)**
 - a) *Proposal for a Decision establishing a specific Programme on Citizenship and Fundamental Rights (2005)*
 - b) *Proposal for a Decision establishing a specific Programme on Fight against violence (Daphne) and drugs prevention and information (2005)*
- **Accession of the European Union to the European Convention for the protection of human rights and fundamental freedoms (informal discussions to be started in 2005)**
 - c) *Proposal extending the mandate of the European Monitoring Centre on Racism and Xenophobia towards a Fundamental Rights Agency (proposal in 2005)*
- **Promotion and protection of women and child rights**
 - d) Daphne II programme: 2006 work programme (2005)
 - e) Study on prevention measures to combat violence against women (2006)
 - f) Communication on the protection of the rights of the child (2005)
- **Protection of Personal Data**
 - g) Communication on the follow-up measures to the Work Programme for a better implementation of the Data protection Directive (2005)
 - h) Communication on PET's (Privacy Enhancing Technologies) (2005)

1.3. European Court of Justice

a) Proposal on means to enable the European Court of Justice to handle requests for preliminary rulings concerning the area of freedom, security and justice (2006).

1.4. European Strategy on drugs

- **EU Action Plans on drugs 2005-2008 (2005) and 2009-2012 (2009)**

a) Continuous evaluation of the EU Action Plan on Drugs 2005-2008 (*annual*)

b) Green Paper on the role of civil society in formulating policies in the drugs field (*2006*)

c) Report on the implementation and functioning of the Framework Decision on drugs trafficking (*2007*)

d) Progress report on and impact assessment of the EU Action Plan on drugs 2005-2008 (*2008*)

e) Communication on an EU Action Plan on drugs 2009-2012 (*2009*)

1.5 External relations

- **Strategy on all the external aspects of the Union policy on freedom, security and justice, based on the measures developed in the Hague programme (2005)**

– Communication on all the external aspects of the Union policy on freedom, security and justice (mid-2005 – contribution to the Strategy).

2. **STRENGTHENING FREEDOM**

2.1. Citizenship of the Union

- (a) Reports on the application of Directives 90/364, 90/365 and 93/96 on the right of residence of pensioners, students and inactive persons and of
 - (b) *Directive 93/109/EC on the right to vote in the EP elections, including in the new Member States and, if appropriate, proposals for the amendment of the latter Directive (2005/2006)*
 - (c) *Proposal to facilitate diplomatic and consular protection (2006)*
 - (d) *Proposal on provisions and conditions required for a European citizens' initiative (2007)*
 - (e) Examination of possible measures to strengthen and to add to the rights laid down under the citizenship provisions of the Treaties (Article 22 TEC) (2008)
- **Allowing EU citizens and members of their family to move within the European Union on similar terms to nationals of a Member State moving around or changing their place of residence in their own country**
 - (f) Control of transposition, compliance and correct application of Directive 2004/38/EC on free movement and residence (2006)
 - (g) Report on application of Directives 90/364/EEC, 90/365/EEC and 93/96/EEC on free movement and residence and on the situation of the nationals of the new Member States (2006)
 - (h) *Report on application of Directive 2004/38/EC on free movement and residence and, if appropriate, proposals for the amendment of the Directive (2008)*

2.2. Asylum, migration and border policy

- **Framework Programme "Solidarity and Management of Migration Flows" under the new Financial Perspectives (2005)**
 - (a) *Proposal for a Decision establishing the European Refugee Fund for the period 2008 - 2013 (2005)*
 - (b) *Proposal for a Decision establishing an External Borders Fund (2005)*
 - (c) *Proposal for a Decision establishing an Integration Fund (2005)*
 - (d) *Proposal for a Decision establishing a Return Fund (2005)*

- **Common analysis of migratory phenomena in all their aspects (Reinforcing the collection, provision, exchange and efficient use of up-to-date information and data)**

- (e) Annual reports on migration and asylum statistics (*on-going*)
- (f) *Adoption of an EU Framework Regulation on the collection of migration and asylum statistics (2005)*
- (g) Green Paper on the future of the European Migration Network (2005), possibly followed by a *proposal establishing a European Migration Monitoring Centre (2006)*
- (h) *Proposal for a mutual information system on migration issues (2005)*

2.3. Common European Asylum System

- (a) *Adoption of the Asylum Procedures Directive (2005)*
- (b) Conclusion of the so-called "parallel agreements" with Denmark in "Dublin II" and "Eurodac" (2005)

- **Evaluation of the first phase legal instruments**

- (c) Monitoring the transposition and implementation of first phase instruments (*2005 ongoing*)

- **Second phase of development of a Common European Asylum System, establishment of a common asylum procedure and a uniform status for those who are granted asylum or subsidiary protection**

- (d) *Proposal on long-term resident status for beneficiaries of international protection (2005)*
- (e) *Second-phase instruments and measures to be presented to the Council and the European Parliament (adoption before the end of 2010)*

- **Studies on the implications, appropriateness and feasibility of joint processing of asylum applications**

- (f) Study on the joint processing of asylum applications within the Union (*2006*)
- (g) Study, to be conducted in close consultation with the United Nations High Commissioner for Refugees (UNHCR), on joint processing of asylum applications outside EU territory, (*2006*)

- ***Cooperation between Member States relating to the Common European Asylum System, after the establishment of a common asylum procedure***
 - (h) Establishment of structures involving the national asylum services of the Member States for promoting cooperation (*Communication - 2005*)
 - (i) Establishment of a European support office in charge of all forms of cooperation concerning a common asylum system on the basis of an evaluation.

- ***Establishment of the European Refugee Fund (ERF) 2005-2013 to assist Member States in the processing of asylum applications and in the reception of certain categories of third-country nationals***
 - (j) Final Report on the **European Refugee Fund** (2005)
 - (k) *Proposal for amending **European Refugee Fund** decision to assist Member States in the reception of certain categories of third-country nationals (2005)*
 - (l) Approvals of **European Refugee Fund** national multiannual programming (2005, 2008 and 2011)

2.4. Legal migration including admission procedures

- **Developing policy on legal migration**

- (a) Assessment and monitoring of the transposition and implementation of first phase directives on legal migration (*from 2005 onwards*)
- (b) Debate on Green Paper on economic migration (2005)
- (c) On the basis of the outcome of the public consultation on the Green Paper on economic migration, presentation of a Policy Plan on legal migration, including admission procedures (2005)

2.5. Integration of third-country nationals

- **Establishment of a coherent European framework for integration**

- (a) Communication on a European framework for integration (2005)

- **Promotion of the structural exchange of experience and information on integration**¹

- (b) Management of INTI preparatory actions (2005-2006)
- (c) Annual reports on immigration and integration (2005 ongoing)
- (d) Handbook on integration (*second edition 2006, ongoing*)
- (e) Development of a website on the Internet (2006)

2.6. Fight against illegal immigration

- (a) Contribution to management of immigration liaison networks in relevant third countries (2005 on-going)
- (b) Annual report on the common policy on illegal migration (2005 on-going)
- (c) Adoption of a Commission Decision establishing a secure web-based information network for Member States migration services (ICONET) (2005)
- (d) Proposal for the conclusion and signature of the Council of Europe Convention on action against trafficking in human beings (CAHTEH) (2005)
- (e) Realisation by Member States of targets for reducing the informal economy as set out in the European employment strategy
- (f) Presentation by the Commission of a report which may include instruments for fighting against illegal work

- **Establishment of an effective removal and repatriation policy based on common standards and a closer cooperation and mutual technical assistance**

- (g) *Proposal on return procedures (2005)*
- (h) Launching of the preparatory actions for financial support to Return Management (2005)
- (i) Appointment of a Commission Special Representative for a common readmission policy (2005)
- (j) Conclusion of Community readmission agreements and management of existing agreements (timely)

¹ In addition, complementary activities are undertaken in the framework of the European Employment Strategy and the Social Inclusion Process.

2.7. External dimension of asylum and migration

- **Cooperation with third countries in managing migration and asylum**

- (a) Communication on migration and development (2005)
- (b) Revised version for 2006 of the reference document of the AENEAS Programme, 2004-2006 (2005)¹
- (c) Completing the integration of migration into the Country and Regional Strategy Papers for all relevant third countries (2005)
- (d) Conclusions in order to intensify Member States cooperation in preventing further loss of life resulting from attempts to enter the EU illegally, mainly in the Mediterranean (2005)

- **Development of EU-Regional Protection Programmes**

- (e) Plan of action for EU Regional Protection Programme, including EU resettlement scheme (2005)
- (f) Launching pilot protection programmes (2005)

- **Intensified cooperation with countries of transit to enable these countries better to manage migration and to provide adequate protection for refugees**

- (g) Report on progress and achievements in asylum and migration, within the context of the European Neighbourhood Policy (2005)

2.8. Border management, biometrics, information systems and visa policy

- **Abolition of controls of persons at the internal borders**

- (a) *Proposal on SIS II legal instruments (2005)*
- (b) Start of evaluation of the implementation of the non-SIS II related acquis in the new Member States (2006)
- (c) Evaluation of SIS II related acquis in the new Member States (*after SIS II operational - 2007*)
- (d) *Adoption of the Council Decision on the lifting of controls at the borders with and between the new Member States, when all requirements regarding application of the Schengen acquis have been met and once the Schengen Information System (SIS II) has become operational (2007)*

¹ To be considered within the framework of the new financial perspectives.

- (e) *Proposal for supplementing existing Schengen evaluation mechanism with a supervisory mechanism (2007)*
- **Establishment of an integrated management system for external borders**
 - (f) *Proposal on teams of national experts to support Member States in the control and surveillance of external borders within the framework of the Border Management Agency (2005) and proposal on the executive powers conferred to Member States' officials operating at the external borders of another Member State (2007)*
 - (g) *“Handbook for Border Guards” (after adoption of the Community Code on the rules governing the movement of persons across borders)*
 - (h) *Evaluation report on the External Border Agency, including a review of the tasks of the Agency and an assessment of whether it should concern itself with other aspects of border management (including the evaluation of the functioning of the teams of national experts and the feasibility of a system of European border guards) (2007)*
 - **Partial application of the Schengen acquis**
 - (i) *Adoption of the Council Decision on the partial implementation of the Schengen acquis by Ireland (2006)*
 - (j) *Adoption of the Council Decision on the partial implementation of the Schengen acquis (SIS) by the United Kingdom (2005)*
 - **Coherent approach and harmonised solutions in the EU on biometric identifiers and data**
 - (k) *Proposal modifying the Common Consular Instructions concerning standards and procedures for taking biometric data, including the obligation to provide such data and specifying the exceptions to this obligation (2005)*
 - (l) *Preparation for the development of minimum standards for national ID-cards (from 2005 onwards)*
 - (m) *Preparation for the development of minimum standards for sectors' specific ID-cards, if appropriate (from 2005 onwards)*
 - (n) *Widespread use of biometric identifiers concerning travel documents, visa, residence permits, EU citizens' passports and information systems (from 2006 onwards)¹*
 - (o) *Communication on enhanced synergies between SIS II, VIS and Eurodac (2006)*

¹ Taking into account developments with regard to authentication, certification, digital signature and e-Government services.

2.9 Visa policy, including the development of the Visa Information System (VIS)

- (a) Meetings with third countries of the positive visa list in order to ensure visa-free travel for citizens of the Member States to all those third countries in the context of the new reciprocity mechanism soon to be adopted (*ongoing, to be combined with the review of the visa list*)
- (b) *Proposals relating to the necessary amendments to further enhance visa policies and the establishment of common application centres for visas (2005)*
- (c) Regular review of the visa list (Regulation 539/2001) (*regularly*)
- (d) *Proposal on visa facilitation procedures for members of the Olympic Family – Turin 2006 (2005)*
- (e) Report on the implementation of Regulation 1295/2003 “Visa facilitation procedures for members of the Olympic Family – Athens 2004” (2005)
- (f) *Proposal amending the Common Consular Instructions on visa fees (2005)*
- (g) *Proposals on transit (2005)*
- (h) Recommendation for negotiation directives for visa waiver agreements between the EC and the third countries on the conditions to move freely within the Union for a period between three and six months (2005 ongoing)
- (i) *Adoption of a proposal establishing a regime on local border traffic (2005)*
- (j) Report on the operation of the Kaliningrad transit scheme (2005)
- (k) Kaliningrad facility¹
- (l) Schengen Facility for seven Member States
- (m) Specific recommendations for negotiating directives on visa facilitation on a case by case basis with third countries in the context of the EC readmission policy, where possible and on the basis of reciprocity, in view of developing a real partnership on migration management issues (2005-2009)
- (n) *Proposal on the review of Common Consular Instructions, concerning in particular local consular cooperation (2006)*

¹ The Kaliningrad Facility will be replaced by specific provisions within the proposed External Border Fund for the period 2007-2013 as part of the framework programme “Solidarity and the Management of migration flows”.

- (o) Technical implementation of the VIS, starting with the functionalities for processing alphanumeric data and photographs (2006) and adding the functionalities for biometric data (2006)
- (p) *Proposal on the creation of common visa offices (2007)*

3. **STRENGTHENING SECURITY**

- **Framework Programme “Security and Safeguarding Liberties” under the new Financial Perspectives (2005)**

a) *Proposal for a Decision establishing a specific Programme on “Prevention of and fight against crime” (2005)*

b) *Proposal for a Decision establishing a specific Programme on “Prevention, Preparedness and Consequence Management of Terrorism” (2005)*

3.1. Sharing of information among law enforcement and judicial authorities while striking the right balance between privacy and security

a) *Adoption of a legislative instrument on the retention of data processed in connection with the provision of public electronic communication services for the detection, investigation and prosecution of criminal offences (2005)*

- **Availability principle and protection of personal data**

b) *Proposal on the establishment of a principle of availability of law enforcement relevant information (2005)*

c) *Proposal on adequate safeguards and effective legal remedies for the transfer of personal data for the purpose of police and judicial co-operation in criminal matters (2005)*

d) *Adoption of the proposal for a Framework Decision on simplifying the exchange of information and intelligence between law enforcement authorities of the Member States of the EU (2005)*

e) *Proposal on access by law enforcement to the VIS (2006)*

f) *Development of the Europol Information System (2006)*

g) *Development of links between the SIS II and the Europol information system (2007)*

h) *Implementation of the principle of availability, concerning the following areas:*

- *DNA (2005)*
- *fingerprints (2006)*
- *ballistics (2006)*

- telephone numbers (2006)
- vehicle registrations (2006)
- civil registers (2006)

i) Proposal for a general Community architecture on forensic/police databases (2008)

j) Definition of a policy for a coherent approach on the development of information technology to support the collection, storage, processing, analysis and exchange of information (2005)

- **Exchange of data on PNR**

k) Proposal concerning a common EU approach to the use of passengers data for border and aviation security and other law enforcement purposes (2005)

l) Joint review on the Air Passengers Data (PNR) agreement with the USA (2005)

m) Completion of negotiations of PNR agreements with Canada and Australia (2005), and with other countries if necessary

n) Definition of international guidelines ensuring a high degree of protection of privacy for the access to PNR data in the framework of International Civil Aviation Organisation (ICAO)

3.2. Terrorism

- **Further development of an overall approach to combat terrorism**

a) Further implementation of the EU Action Plan on Combating Terrorism

b) Follow-up to the pilot project in favour of victims of terrorism (2006)

c) Reinforcement of cooperation between the competent authorities to combat terrorism through the development of specialised contact points in Member States, which will have access to all necessary information and intelligence with respect to terrorist activities involving persons, groups or entities (2005)

d) Examination of the necessity and feasibility of the setting up of a European Law Enforcement Network (LEN) for the fight against terrorism (2005) and if necessary proposal for its setting up (2006).

e) Communication on greater security of explosives, bomb-making equipment (2005)

f) Communication of the Commission on violent radicalisation and strategy of the Council on radicalisation and recruitment (2005)

g) Proposal for preventing misuse of charitable organisations for the financing of terrorism (2006)

- h) Communication on results of the peer evaluation mechanism on terrorism in the 25 Member States (2006/2007)
 - i) Identification of need and scope for legal instruments to ensure that all Member States can freeze assets of designated persons on a preventive basis in accordance with Special Recommendations of the Financial Action Task Force (2007)
 - j) Contribution to the on-going work on thwarting the production and spread of chemical, nuclear and biological arms (2007)
 - k) *Development of the ATLAS cooperation and its legal framework (2006)*
 - l) Build capacity in third countries to fight terrorism and appropriate clauses on counter-terrorism in the agreements to be concluded by EU/EC with third countries
- **Review and adaptation of EU legislation in parallel with measures to be adopted in order to combat terrorism**
 - m) Second report based on Article 11 of the Council Framework Decision of 13.6.2002 on combating terrorism (2005) and evaluation (2006)

3.3. Prevention of and fight against organised crime

- a) Communication on developing a strategy on tackling organised crime (2005)
- **Improve the knowledge of organised and serious crime and strengthen the gathering and analysis of information**
 - b) Communication on an action plan - EU Crime statistics (2005)
 - c) Commission working paper on criminal intelligence-led law enforcement (2005)
 - d) Recommendations for a standard methodology for vulnerability in crime proofing (2007)
 - e) Presentation of a European Crime report (2007)
 - f) Organised Crime Threat Analysis by Europol (as of 2006)
- **Strengthen prevention of organised crime**
 - g) Crime-proofing of legislation and the design of crime preventive measures into products and services (2005)
 - h) Report on the results of a study further to the Council resolution of 2001 on the contribution of civil society in finding missing or sexually exploited children (2005)
 - i) Action Plan on private/public partnerships to protect public organisations and private companies from organised crime (2006)

- j) Improving European coordination and cooperation between high-tech crime units in Member States, and with the private sector (Cyber crime Intelligence Network) including the development of a European Cyber crime manual (2006)
- k) Communication on cyber crime and cyber security policy (2006)
- **Anti-corruption measures:**
 - l) Examination of the need for codes of conduct on ethics and integrity for public officials (2007)
 - m) Proposal introducing certain obligations on certain categories of officials with regard to reporting bribery as well as the disclosure of assets and business interests (2009)*
- **Strengthen tools to address financial aspects of organised crime**
 - n) Initiatives to promote use of financial investigation as a law enforcement technique and to establish common minimum training standards (2005-2007):
 - o) Common set of training standards in financial investigation skills (2005)
 - p) Recommendation for a Memorandum of Understanding regarding feedback from financial intelligence units to reporting bodies on suspicious transaction reports (2006)
 - q) Recommendation and/or proposal to enhance transparency of legal entities to reduce vulnerability to infiltration by organised crime (2006)*
 - r) Promotion of the establishment of criminal asset intelligence units in EU Member States (continuous)
 - s) Examination of standards for the return of confiscated or forfeited assets as compensation or restitution to identifiable victims of crime or charitable organisations (2008)
- **Improve legislation and review existing legal instruments where needed**
 - a) Adoption of the Framework Decision on the participation to a criminal organisation (2006)*
 - b) Legislative package on the fight against counterfeiting (2005)*
 - c) Communication on trafficking in human beings (2005)
 - d) Review and, where appropriate, further development of the present legislation on trafficking in human beings, for example in order to facilitate public-private cooperation, EU wide coordination and the involvement of Europol (2006)*

- e) *Review and, if necessary, further development of the legal framework preventing and combating trafficking in human organs, tissues and cells (2006)*
- f) *Review and, if necessary, strengthening of the present legislation on confiscation of criminal assets (2008)*
- g) Comparative study to evaluate the need for instruments to combat activities of Organised Crime related to Fiscal Fraud within EU Member States and acceding and candidate countries' (2005)
- h) *On the basis of the study, Proposal for legislation in criminal matters, in the field of organised crime related to fiscal fraud or on standards and best practices for the purpose of improving law enforcement cooperation(2007)*
- i) *Proposal on identity theft and identity management measures (2007)*
- j) *Examination of the initiative on combating fraud in public tenders (2006)*
- k) Study and research on the need for further approximation of legislation, e.g. in the fields of illicit arms trafficking, racketeering and extortion (2008)

- **Improve monitoring and evaluation**

- l) Second report based on Article 6 of the Council Framework Decision of 26 June 2001 on money laundering, the identification, tracing, freezing, seizing and confiscation of instrumentalities and the proceeds of crime (2005)
- m) Second report based on Article 14 of the Council Framework Decision of 28 May 2001 combating fraud and counterfeiting of non-cash means of payment (2005)
- n) Implementation report Framework Decision “Private sector corruption” (2005)
- o) Report on the implementation of the Framework Decision of 27 January 2003 on Protection of the environment through criminal law (2005)
- p) Report on the implementation of the Framework Decision on Confiscation of Crime-Related Proceeds, Instrumentalities and Properties (2007)
- q) Evaluation regarding Member States’ implementation of customs cooperation (Naples II Convention) including the ratification status (2007)
- r) Evaluation regarding Member States’ anti-corruption policies (2009)
- s) Evaluation regarding measures to combat financial crime (2010)

3.4. Police and customs cooperation

- a) Implementation and evaluation of the work programme concerning customs cooperation approved by the JAI Council on 30.3.2004 following the Council Resolution of 2.10.2003 on a strategy for customs cooperation (2004-2006)
 - b) Communication on the fight against the illicit cross-border trafficking in restricted or prohibited goods (2007)
 - c) *Proposal on the development of Europol and on the role of the European Parliament and national parliaments in the scrutiny of Europol's activities (to enter into force no later than 1 January 2008)*
- **Improvement of law enforcement co-operation and development of the Schengen acquis in respect of cross-border operational law enforcement cooperation**
 - d) *Follow up to the Communication and Proposal on improvement of law-enforcement co-operation in particular at the internal borders between Member States (2005)*
 - e) *Communication and proposal for a Directive on improved transport safety and increased security through the creation of an area of police and judicial cooperation on the Trans European transport Networks (2005)*
 - f) Updating of the SIRENE manual (2005)
 - g) Further work in respect to police standards (police ethics, monitoring programmes) (2008)
 - h) Definition of quality standards of forensic laboratories (2008)
- **Systematic exchange programmes for law enforcement officers' authorities**
 - i) *Adoption of the proposal aimed at amending the decision establishing CEPOL (European Police College) as a body of the Union (2005)*
 - j) *Evaluation of CEPOL (2006) and , if appropriate, further development (2006)*

- **Improvement of operational cooperation**

- k) Development of a common methodology and setting up of short-duration joint customs and police operations and/or multidisciplinary joint teams (*continuous*)
- l) Elaboration of minimum standards for the cross-border use of investigation techniques (*2006*)
- m) Best practice guide for the promotion and expansion of the use of special forms of cooperation for customs administrations as provided by the Naples II Convention (*2008*)
- n) Improvement of the European cooperation between anti-corruption bodies and examination of the setting-up of a network between anti-corruption authorities (including police, judicial, prosecutorial and customs) (*2008*)
- o) Definition of a policy on the relationship between Europol and Eurojust (no later than *2008*)
- p) Definition of the role of the security committee (COSI) (*no later than 1 November 2006*)
- q) Review and, where appropriate, further development of the customs IT-systems (*continuous*)

3.5. Management of crisis within the European Union

- a) Integrated EU crisis management arrangements (to be implemented by 1 July 2006)
- b) Commission Decision creating a secure general rapid alert system (ARGUS) and a Commission Crisis Centre to coordinate existing alert systems (*2005*)
- c) *Proposal creating a Critical Infrastructure Warning Information Network (CIWIN) (2005)*
- d) Plan on the protection of critical infrastructures (*2005*)

3.6. General crime prevention

- a) Strengthening and professionalising of the prevention of crime, including through the European Crime Prevention Network (*2005*)

4. **STRENGTHENING JUSTICE**

- See also *Framework Programme “Fundamental Rights and Justice” under the new Financial Perspectives (2005)*

a) *Proposal for a Decision establishing a specific Programme on Judicial Cooperation in Civil and Commercial Matters (2005)*

b) *Proposal for a Decision establishing a specific Programme on Judicial Cooperation in Criminal Matters (2005)*

4.1. Confidence building and mutual trust

a) Systematic, objective and impartial evaluation of the implementation of EU policies in the field of justice with a view to reinforcing mutual trust while fully respecting the independence of the judiciary (*Communication - 2006*)

b) Communication from the Commission on judicial training in EU (2005), development on the basis of the pilot project of the exchange of magistrates (2005) and of the Preparatory action (2006)

c) *Creation, from the existing structures, of an effective European training network for judicial authorities for both civil and criminal matters (2007)*

d) EU workshops to promote cooperation between members of the legal professions with a view to establishing best practices (2006)

4.2. Judicial cooperation in criminal matters

- **Pursuing the implementation of the mutual recognition principle:**

a) Communication on mutual recognition of decisions in criminal matters and reinforcement of mutual trust between Member States (2005)

b) White Paper on the exchanges of information on convictions and the effect of such convictions in the EU (2005)

- c) *Proposal on taking into account of convictions in the Member States of the European Union in the course of new criminal proceedings (2005)*
- d) *Proposal on the transmission to, and keeping by, the Member State of nationality of information on criminal convictions (2005)*
- e) *Communication on the creation of an index of non EU nationals convicted in a EU Member State (2005) and legislative proposal (2006)*
- f) *Initiative on the European Enforcement Order and the transfer of sentenced persons between Member States of the EU (2005)*
- g) *Proposal on mutual recognition of non-custodial pre-trial supervision measures (2005)*
- h) *Communication on disqualification (2005)*
- i) *Reports on the implementation of the Framework Decision on the European arrest warrant and the surrender procedures between Member States (2005 and 2006)*
- j) *Initiative on the recognition and enforcement in the European Union of prohibitions arising from convictions for sexual offences committed against children (2005)*
- k) *Proposal on driving disqualifications (2006)*
- l) *Report on the implementation of the Framework Decision of 22.7.2003 on the execution in the EU of orders freezing property or evidence (2006)*
- m) *Report on the implementation of the Framework Decision on the application of the principle of mutual recognition to financial penalties (2007)*
- n) *Proposal on recognition and execution of alternative sanctions and on suspended sentence (2007)*
- o) *Proposal completing the European Evidence Warrant (2007)*

- **Approximation**

- a) *Green Paper on Conflicts of Jurisdiction and Double Jeopardy (ne bis in idem) (2005)*
- b) *Green Paper on presumption of innocence (2005)*
- c) *Second report on the implementation of the Framework Decision of 15.3.2001 on the standing of victims in criminal proceedings (2005)*

- d) Third report on the Framework Decision of 15.3.2001 on the standing of victims in criminal proceedings (2006)
 - e) *Proposal on conflicts of jurisdiction and the ne bis in idem principle (2006)*
 - f) Green Paper on handling of evidence (2006)
 - g) Green Paper on default (*in absentia*) judgements (2006)
 - h) *Proposal on minimum standards relating to the taking of evidence with a view to mutual admissibility (2007)*
 - i) *Proposal on default judgements (in absentia) (2007)*
 - j) *Follow up to the Green Paper on the approximation of criminal sanctions and, where appropriate, legislative proposal (2008)*
 - k) Analysis of minimum standards in pre-trial detention procedures and the routines for regular review of the grounds for detention (2007)
- **Others instruments in the field of judicial cooperation in criminal matters:**
 - a) Recommendation on minimum standards for capturing and exchanging electronic evidence (2006)
 - b) *Proposal on the wilful destruction of documentary evidence (2007)*
 - c) *Proposal on the protection of witnesses and collaborators of justice (2007)*
 - d) *Initiative to facilitate the prosecution of road traffic offences (2005)*
 - e) Evaluation of the efficiency of specialised judicial bodies for dealing with the investigation of cases linked to organised crime (2009)
 - f) Further development of the European Judicial Network in criminal matters (continuous)
- **Eurojust**
 - g) 2nd report on the legal transposition of the Council Decision of 28.2.2002 setting up Eurojust (2005)
 - h) *Proposal on Eurojust in accordance with Article III - 273 (to enter into force no later than 1 January 2008)*
 - i) White Paper on Article III-274 of the Constitutional Treaty (by 2009)

- **International Legal Order**

- j) Active involvement of the activities of the Council of Europe and other international organisations and fora (G8, UN, OECD, OSCE, FATF) in criminal matters (2005-2009)
- k) Examination of the case for agreements between the EU and third countries on extradition (2005-2009)
- l) Examination of the case for agreements between the EU and third countries on mutual legal assistance (2005-2009)
- m) Proposal on the conclusion and on the signature of the Council of Europe Convention against money laundering and terrorist financing on behalf of EC (2005/2006)
- n) Inclusion of provisions on counter-terrorist assistance in proposed revision of existing instruments governing external assistance (2006)
- o) Proposal on conclusion of the United Nations Convention against Corruption on behalf of the EC (2006)
- p) Proposal on conclusion of the United Nations Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components, and ammunition on behalf of the EC (2007)

4.3. Coopération judiciaire en matière civile

- **Reconnaissance mutuelle des décisions et élimination des obstacles au bon déroulement des procédures**

- a) Livre vert sur les successions (2005)
- b) Livre vert sur les conflits de lois et de compétence en matière de divorce (Rome III) (2005)
- c) *Proposition relative aux conflits de lois concernant les obligations contractuelles (Rome I) (2005)*
- d) *Proposition relative aux demandes de faible importance (2005)*
- e) *Propositions relatives aux obligations alimentaires (2005)*
- f) *Adoption de la proposition «Rome II» relative aux conflits de lois concernant les obligations non contractuelles (2006)*

- g) *Adoption du règlement instituant une procédure européenne d'injonction de payer (2006)*
- h) *Adoption d'une directive sur certains aspects de la médiation en matière civile et commerciale (2006)*
- i) *Livre vert sur les effets patrimoniaux de la séparation des couples (2006)*
- j) *Livre(s) vert(s) sur l'exécution effective des décisions judiciaires (2006-2007)*
- k) *Livre vert relatif à des normes minimales applicables à certains aspects du droit procédural (2008)*
- l) *Évaluation de la possibilité de parachever la suppression de l'exequatur (2006-2010) et propositions législatives, le cas échéant*
- m) *Proposition de modification du règlement (CE) n° 1348/2000 relatif à la signification et à la notification dans les États membres des actes judiciaires et extrajudiciaires en matière civile et commerciale (2005)*

- **Renforcer la coopération**

- n) *Rapport sur le fonctionnement du Réseau judiciaire européen en matière civile et commerciale (2005) et proposition de modification, le cas échéant (2006)*
- o) *Poursuite du développement du Réseau judiciaire européen dans les matières civiles et des bases de données relatives à la jurisprudence concernant les instruments européens (en permanence)*
- p) *Mise à jour et amélioration permanentes de l'Atlas judiciaire européen (en permanence)*
- q) *Soutien de l'Union aux réseaux d'organisations et institutions judiciaires (en permanence)*
- r) *Séminaires UE visant à promouvoir la coopération entre les professionnels du droit afin de mettre en place de meilleures pratiques (2006)*
- s) *Célébration annuelle de la journée européenne de la justice civile (en permanence)*

- **Accompagnement de la mise en oeuvre des actes adoptés**
 - t) Rapport sur le fonctionnement du règlement (CE) n° 1206/2001 relatif à l'obtention des preuves, et proposition de modification, le cas échéant (2007)
 - u) Rapport sur le fonctionnement du règlement «Bruxelles I» (2007) et proposition de modification, le cas échéant (2009 au plus tard)
 - v) Rapport sur le fonctionnement de la directive 2004/80/CE relative à l'indemnisation des victimes de la criminalité (2009)
- **Garantir la cohérence**
 - w) Rapport final de recherche, portant notamment sur un projet de cadre commun de référence dans le domaine du droit européen des contrats (2007)
 - x) Adoption d'un cadre commun de référence (CCR) dans le domaine du droit européen des contrats (2009)
- **Ordre juridique international**
 - a) Proposition en vue de la conclusion d'une nouvelle convention de Lugano (2006)
 - b) Proposition en vue de la conclusion d'accords dit «parallèles» avec le Danemark sur «Bruxelles I» et la signification ou la notification d'actes (2005)
 - c) Conclusion des négociations relatives à la convention sur le choix du for (2005)
 - d) Adhésion de la Communauté à la Conférence de La Haye de droit international privé (2006)
 - e) Conclusion des négociations relatives à la convention sur les obligations alimentaires (2007)
 - f) Ratification de la Convention de La Haye de 1996 concernant la compétence, la loi applicable, la reconnaissance, l'exécution et la coopération en matière de responsabilité parentale et des mesures de protection des enfants
 - g) Poursuite des négociations et conclusion des accords internationaux qui relèvent de la coopération judiciaire civile.
