



## **Informal Meeting of Justice and Home Affairs Ministers**

**Dresden, 14 – 16 January 2007**

**Plenary session III.1 – Monday, 15 January 2007, 16:30 hrs to 18:30 hrs**

### **Topic:**

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| Shaping European home affairs policies after the expiry of the Hague programme in 2010 |
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### **Context**

The European Council adopted the first multi-annual programme for the field of justice and home affairs in Tampere in 1999, enabling the European Union to make major progress in the fields of visas, asylum, border controls and illegal migration – i. e. fields that have become community concerns with the entry into force of the Amsterdam Treaty on 1 May 1999.

The Hague programme goes back to November 2004 and identified new and important priorities. Apart from other aspects it defined above all the principle of availability for the cross-border exchange of relevant police intelligence as a major step forward for police co-operation.

The Finnish Council Presidency has prepared an interim assessment of The Hague programme by the Council – a measure which is very valuable and for which we should like to give it our express thanks. However, when the home affairs ministers met in Tampere in September 2006, it became obvious that they are seeking for target-oriented policies at EU level which will really take us forward and make the responsibilities and the benefits of European co-operation visible for our citizens.

Experiences with the multi-annual programmes to date have been positive. So as to be able to prepare the next programme at an early stage, it would be worthwhile having a close look back now. We think it would be useful to consult external expertise in a structured manner before an initiative is launched by the European Commission and before formal negotiations are held and decisions are taken in the Council. That would mean that the dossier could be prepared in a very thorough manner, giving the Commission and the Council a basis from which to start formal negotiations, probably in 2009.

### **Proposal for future steps**

For this reason, the German Presidency proposes to set up a high-level advisory group on the future of European home affairs policies as from 2010, so as to give continuity to the political discussion and to talk about the potential contents of a post-Hague programme at an early stage.

The high-level advisory group should, for instance, submit specific proposals as to areas where we need more cooperation at EU level, areas where action on the national level is sufficient, and areas where we can improve and simplify European regulations. We do not intend to address issues concerning primary law, decision-making or other matters that might affect the further treatment of the EU Constitutional Treaty.

So as to apply an objective standard for the composition of the group, the Presidency proposes to appoint the Vice-President of the Commission for Justice, Freedom and Security and the home affairs ministers of the two team presidencies from the first half of 2006 to the second half of 2009. This would mean that we could use the new format of the team presidency to increase the continuity of subsequent presidencies. In addition, specific experts designated ad personam may support the group as needed. Each Member State is invited to submit input to the group. The group will report to the college of home affairs ministers about the discussions in a suitable manner and at regular intervals.

The group could present a report in autumn 2008, meaning that its reflections could be fed into the formal discussion process for the next multi-annual programme in good time.

This report would be designed to facilitate the preparation of the programme to follow up the Hague programme and the discussions by the EU home affairs ministers; at the same time it would serve as a contribution for the formal involvement of the Council.

### **Questions**

1. *Do you think it opportune that EU home affairs ministers should continue to gear coherent policies at European level to a multi-annual programme as from 2010 (modelled on the 1999 Tampere and 2004 Hague programmes)?*
2. *Do you agree that the European Commission should work out, on the basis of this paper and together with the Presidency, the terms of reference for a group dealing with the future of European home affairs policies which is transparent and open to suggestions from the group of Member States, and would pool ideas for the formal negotiations of the EU home affairs ministers?*
3. *Which priorities should the group set?*