



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

From: the Presidency
To: the Council

Subject: Future Group Report (Justice)

Please find attached the contribution from the Lithuanian delegation, to be added to the annex III of the Future Group Report (Justice) contained in doc. 11962/08 JAI 389.

LITHUANIA

18 July, 2008

CONCERNING THE PREPARATION OF THE NEXT MULTI-ANNUAL PROGRAMME FOR THE AREA OF JUSTICE, FREEDOM AND SECURITY

- PRELIMINARY LITHUANIAN VIEWS

Lithuania would like to stress the importance of the continuation of the Tampere Programme and the Hague Programme, which provided the solid base for further creation and strengthening of the area of Justice, Freedom and Security within the EU.

The preparation of the new programme must proceed in a usual decision-making way. The process must be transparent and open for the interested parties' inputs as much as possible.

In this regard, Lithuania greatly welcomes all work done by the High Level Group on Future of Home Affairs Policy, High Level Group on Future of Justice and the publication of the Reports and would like to present its own preliminary contribution to further discussions on future guidelines in the field of Justice and Home Affairs, which should proceed with the participation of all Member States.

Lithuania is looking forward for the Commission's comprehensive communication with specific suggestions on how to take forward the works in the Justice, Freedom and Security area as a whole in a view of the new multi-annual Programme.

Better Regulation and Monitoring/ Evaluation

The EU must review and evaluate all legal acts approved at the Third Pillar striving to identify the gaps and duplicating provisions, as well as to draft consolidated summaries of legal acts on every sphere of home affairs. We shall seek for a flexible internal policy of the European Union, conforming to the new factors and challenges. But in any case flexibility of the policy shall not affect its efficiency.

The EU must maintain and further develop a comprehensive monitoring/ evaluation mechanism in the area of JHA.

With respect to the aim to ensure convergence of the Member States, Lithuania would like to stress the need to ensure equal attention to the sharing of best practices (open coordination method). It is necessary to establish a European model, which would coexist with the persistent national competencies and national traditions in the field of Justice and Home Affairs.

Justice Affairs

Taking into consideration overall agreement on a Council Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law, reached by the Justice and Home Affairs Council on April 19, 2007, in particular statement by the Council and in line with the conclusions of the European Council agreed by the European Council at its meeting on 19 and 20 June 2008, where it acknowledges the need to continue the process regarding the crimes committed by totalitarian regimes, process of evaluation at EU level of crimes committed by totalitarian regimes should be continued and taken political commitment should be implemented into the future freedom, security and justice program. In consultation with the European Commission and other Member States we should continue the discussion started at EU level in order to gain common EU comprehension of the crimes committed by totalitarian regimes.

Visibility of EU Justice is also important – here we would place emphasis on external dimension of judicial cooperation, eg. in solving criminal cases. Agree that Council shall discuss with preparation of COREPER bilateral agreements on judicial cooperation with third countries to ensure coherence of EU external action.
