

## FREEDOM, SECURITY AND JUSTICE: WHAT WILL BE THE FUTURE?

–PUBLIC CONSULTATION –

### WHERE DO WE STAND TODAY?

One of the European Union's core objectives is to provide its citizens with an area of freedom, security and justice without internal borders. An area in which citizens enjoy protection as individuals, the respect of their fundamental rights and freedom of movement. An area in which citizens' security and their collective protection are guaranteed by appropriate measures. An area in which a judicial decision from one Member State can be applied in another and citizens have easier access to justice. And, lastly, an area of concerted management of immigration and asylum.

Many elements come into play in this important effort: the respect of fundamental rights, citizenship including, for example, participation in local and European elections, the free movement of persons, data protection, judicial cooperation in civil and criminal matters, the fight against drugs, police cooperation, the fight against terrorism and organised crime, legal and illegal immigration, integration, asylum and visa policies and questions related to the EU's external borders.

The European Union has made significant progress towards creating this area of freedom, security and justice. The impetus has been provided by two successive multiannual programmes that set out detailed priorities and initiatives to be taken in the various sectors. You can find useful information on the progress made in recent years on this site.

The second programme – "The Hague Programme" – will have been more or less completed in 2009. Now we must look ahead and define the European Union's future priorities in this field, addressing major challenges such as taking greater account of citizens' interests, an increasingly globalised world requiring closer cooperation with non-EU countries and the constant progress of technology.

As part of the exchange of ideas that will lead to the definition of priorities for the next five years (2010-2014), the Commission has decided to launch a wide-ranging public consultation based on the attached questions. Any additional contributions will also be taken into account.

### YOUR OPINION ON THE FUTURE

#### 1. Improve the protection of fundamental rights

*1.1. Do you think that the EU should promote respect of Fundamental Rights in Europe in addition to the activities of the Member States?*

- yes
- no
- no opinion

*1.2. Do you think that EU legislation promoting the implementation of fundamental rights such as data protection and fight against xenophobia and racism should be improved?*

- yes
- no
- no opinion

## **2. Develop EU citizenship**

*2.1. To facilitate the free movement of EU citizens within the EU do you think that the EU should do more to:*

*(1) remove the remaining obstacles in the day-to-day life of EU citizens who move to another Member State?*

- yes
- no
- no opinion

*(2) promote participation in elections to the European Parliament and in local elections?*

- yes
- no
- no opinion

*(3) promote worldwide consular protection for EU citizens in places where your own country does not have a consulate?*

- yes
- no
- no opinion

*2.2. Do you think that the EU should do more in the field of promotion of the rights of children and the protection of women against violence?*

- yes
- no
- no opinion

## **3. Develop a common immigration policy for Europe**

*3.1. Do you think that there should be a role for the EU in managing legal migration to cope with future labour and skills shortages?*

- yes
- no
- no opinion

*3.2. Do you think integration of legal immigrants should be further strengthened and that the EU could help Member States, for example by sharing information?*

- yes
- no
- no opinion

*3.3. Do you think that the EU should step coordination to curb illegal immigration into the EU?*

- yes
- no
- no opinion

#### **4. Further develop a Common European Asylum System**

*4.1. Do you think that there should be more solidarity among Member States to help countries whose asylum system is overburdened?*

- yes
- no
- no opinion

*4.2. Do you think a Common European Asylum System with higher common standards of protection should be developed?*

- yes
- no
- no opinion

#### **5. Strengthen the protection of external borders through an integrated border management system and a common visa policy**

*5.1. Do you think that European level should increase its support to Member States?*

- yes
- no
- no opinion

*5.2. Do you think modern technologies should be used more than today in order to reinforce border controls and check identity and travel documents?*

- yes
- no
- no opinion

*5.3. Do we need common rules on issuing visas to foreign nationals?*

- yes
- no
- no opinion

#### **6. Develop and promote a coherent judicial area for civil matters**

*6.1. Do you think that the EU should ensure mutual recognition between Member States*

*(1) in respect of marriage, civil partnerships and civil status (names, marital status, descendants) (e.g. recognition of a family name or children's names in whichever European Union state you are living)?*

- yes
- no
- no opinion

*(2) of administrative documents, civil partnerships, registers of marriages, births and deaths (to be able to have one's birth or marriage certificate or other documents easily recognised in any other Member State)?*

- yes
- no
- no opinion

*6.2. Do you think that the EU should develop a common EU approach on adoption?*

- yes
- no
- no opinion

*6.3. Do you think more should be done at European level to improve effectiveness of justice in the Member States?*

- yes
- no
- no opinion

*6.4. Do you think more should be done at European level to secure and improve enforcement of claims abroad?*

- yes
- no
- no opinion

## **7. Develop and promote a coherent judicial area for criminal matters**

*7.1. Do you think that the EU should provide all citizens with a basic set of rights as a guaranteed minimum in criminal investigations?*

- yes
- no
- no opinion

*7.2. Do you think that the EU should have common minimum standards for the protection of crime victims?*

- yes
- no
- no opinion

*7.3. Should the EU do more against trafficking in human beings?*

- yes
- no
- no opinion

7.4. Do you think that the EU should harmonise criminal sanctions for cross-border crimes such as trafficking in human beings, sexual exploitation of children or environmental crime?

- yes
- no
- no opinion

7.5. Do you think the EU should do more to help Member States seize and confiscate profits from criminal activities in order to ensure that crime does not pay?

- yes
- no
- no opinion

7.6. Do you think that the EU should improve cooperation between national judicial authorities and simplify cross-border prosecutions?

- yes
- no
- no opinion

7.7. Do you think that the EU should encourage more exchanges between judges?

- yes
- no
- no opinion

## **8. Reinforce the effectiveness of police cooperation**

8.1. Should police forces have access to non-police data at EU level (e.g. information collected by immigration and asylum authorities) in order to fight terrorism and serious and organised crime?

- yes
- no
- no opinion

8.2. Do you think that the EU should encourage exchanges of police officers between different countries?

- yes
- no
- no opinion

## **9. Strengthen action to prevent and combat terrorism and specific forms of crime**

9.1. Should the EU take more action to face the terrorist threat?

- yes
- no
- no opinion

9.2. Should the EU do more in the fight against corruption?

- yes

- no
- no opinion

9.3. *Should the EU do more on high-tech crime and cybercrime, via the internet and other means of modern technology?*

- yes
- no
- no opinion

## **10. Develop multidisciplinary mobilisation to combat drugs**

10.1 *Do you think that the EU should develop a common policy against drug production and trafficking?*

(1) *within the EU*

- yes
- no
- no opinion

(2) *in non-member countries*

- yes
- no
- no opinion

10.2 *Do you think penalties in all EU Member States should be the same for:*

(1) *drug trafficking (organised crime)*

- yes
- no
- no opinion

(2) *drug dealing (street level)*

- yes
- no
- no opinion

## **11. Take advantage of new technologies**

*In which of the following fields do you think that new technologies should be used for the development of an area of Freedom, Security and Justice?*

- ( ) Protection of fundamental rights
- ( ) Immigration
- ( ) Asylum
- ( ) Border policy
- ( ) Fight against terrorism and against organised crime
- ( ) Police cooperation
- ( ) Exchange of information

- ( ) Data protection
- ( ) Judicial cooperation
- ( ) Fight against drugs

## **12. Develop the area of Freedom, Security and Justice in a globalized world**

*12.1 In which of the following areas do you think that cooperation with third countries is very important?*

- ( ) Protection of fundamental rights
- ( ) Protection of children
- ( ) Rule of law
- ( ) Immigration
- ( ) Asylum
- ( ) Border policy
- ( ) Fight against terrorism and against organised crime
- ( ) Police cooperation
- ( ) Exchange of information
- ( ) Data protection
- ( ) Judicial cooperation
- ( ) Fight against drugs
- ( ) Economic and financial crime
- ( ) Cyber crime

*12.2 In which of the following countries/geographical areas do you think that cooperation on Justice and Home Affairs issues with third countries is very important? Please set priorities (1,2,3...):*

- (...) Other Western European countries
- (...) Western Balkans
- (...) USA
- (...) Canada
- (...) Russian Federation
- (...) Ukraine
- (...) Moldova
- (...) Mediterranean countries
- (...) Black Sea region
- (...) South Caucasus (Georgia, Armenia, Azerbaijan)
- (...) Middle East
- (...) Africa
- (...) Asia
- (...) Latin America
- (...) Australia

**13. Which (maximum five) areas or actions should in your opinion definitely be a priority for 2010-2014 in the area of Freedom, Security and Justice? Why?**

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**14. How do you think existing legislation in the area of Freedom, Security and Justice can be improved or simplified? Please, give (maximum five) examples? For what reasons?**

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