



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Civil Liberties, Justice and Home Affairs

LIBE_OJ_7/03806

DRAFT PROGRAMME

**INTERPARLIAMENTARY
COMMITTEE MEETING**

**DEMOCRATIC ACCOUNTABILITY
IN THE AREA OF FREEDOM, SECURITY AND JUSTICE**

**EVALUATING
EUROPOL, EUROJUST, FRONTEX AND SCHENGEN**

**with the participation of
NATIONAL PARLIAMENTS**

**Monday 4 October 2010, 15.00 – 18.30
Tuesday 5 October 2010, 09.00 – 12.30**

Brussels

Room PHS 3 C 050

INTRODUCTION

Twenty five years ago, by agreeing on the Schengen Agreement, some Member States addressed for the first time and in the same legal framework, some essential political objectives such as the freedom of movement within the Schengen area of their citizens by granting them also a high level of security. Moreover each Member State accepted to entrust the other Member States with the protection of its own borders and accepted to build common rules on visa and security checks by also establishing a system of peer evaluation. This was made possible notwithstanding the initial diversity of the national legislation, by progressively aligning them within an evolutionary common legal framework accompanied by common tools and networks to which thousands of national officials were (and are) connected online (the SIS system) where the security alerts of other countries are treated as its own.

Under this perspective, the Schengen Agreement could be considered the true starting point of an even more ambitious political objective foreseen by the Amsterdam Treaty and recently confirmed by the Lisbon Treaty according to which "*the Union shall constitute an area of freedom, security and justice with respect for fundamental rights and the different legal systems and traditions of the Member States.*" (Article 67 TFEU).

Such an ambitious objective could only be implemented by establishing a coherent and global European strategy as it has been defined by the European Council on 10 December 2009 (Stockholm Programme) according to which the cooperation between the Member States should also be supported by reshuffling the already existing European Agencies such as Europol, Eurojust and Frontex as well as by creating new ones when needed. According to the Treaty and to the Stockholm Programme, these European Agencies should be the operational tools for the Member States and for the EU institutions themselves when granting the freedoms of the individuals and the security of the EU.

Such an objective requires on one side the operational coordination as it has to be granted by the new Internal Security Committee (COSI, Article 71 TFEU) as well as by building a strong parliamentary control at European and national level as it is foreseen by Article 12 of the Treaty on the European Union and Articles 70, 85 (Eurojust) and 88 (Europol) of the Treaty on the Functioning of the European Union.

Under this perspective, it has to be noted that one year after the entry into force of the Treaty, the legislative framework shaping the parliamentary control is still not defined.

This interparliamentary committee meeting with the participation of members of the corresponding Justice and Home Affairs committees of the 27 EU national Parliaments will therefore provide Members of the European Parliament and of national Parliaments a first opportunity after the entry into force of the Lisbon Treaty to discuss the issue of the democratic accountability of the area of freedom, security and justice and notably of the Schengen cooperation as well as of the activities of three main agencies (Europol, Eurojust and Frontex), which have a crucial role in the functioning of the Area of Freedom, Security and Justice.

This interparliamentary committee meeting is taking place in the framework of a process launched by the Conference of the Speakers of the EU Parliaments (EUSC) in Stockholm in May 2010. On that occasion the EU Speakers asked the incoming Belgian EUSC Presidency "to further explore the proposal to schedule regular conferences for parliamentary committees dealing with European Affairs, Foreign Affairs and Defence as well as Justice and Home Affairs in cooperation with the European Parliament". The Belgian Parliament will present its proposals to the next EU Speakers' Conference which will take place in Brussels in May 2011. In this context, this interparliamentary committee meeting is intended as a contribution to the mandate given by the EU Speakers' Conference to the Belgian Parliament in cooperation with the European Parliament.

Monday 4 October, 2010

Chair: Mr Juan Fernando LÓPEZ AGUILAR, Chairman of the Committee on Civil Liberties, Justice and Home Affairs (LIBE) of the European Parliament

15.00–16.00 OPENING SESSION

OPERATIONAL COOPERATION BETWEEN AGENCIES IN THE AREA OF FREEDOM, SECURITY AND JUSTICE

Welcome by the Chair, **Mr Juan Fernando LÓPEZ AGUILAR**

Mr Fernard KOEKELBERG, Chairman of the Standing Committee on Internal Security (COSI), Belgian Presidency (tbc)

Representative of the Commission (tbc)

Discussion

16.00–17.15 SESSION I

FRONTEX

Mr Ilkka LAITINEN, Director of Frontex

Mr Simon BUSUTTIL, Rapporteur on the revision of the Frontex mandate, LIBE Committee, European Parliament

Member of a national Parliament

Discussion

The European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex) was created in 2004 and became fully operational in October 2005. Its role is to coordinate operational cooperation between Member States in the field of management of external borders. The Commission recently proposed some modifications to the Regulation establishing Frontex, notably the possibility for Frontex to buy equipment and the obligation for Member States to contribute to the equipment pool of Frontex, the setting up of a pool of border guards, the modalities of cooperation with EU agencies and bodies and third countries, etc.

This proposal is currently being discussed in the Parliament and in the Council. This session will be an opportunity to discuss the activities of Frontex so far, as well as the future developments of the Agency.

17.15–18.30 SESSION II

EUROPOL

Mr Rob WAINWRIGHT, Director of Europol

Mr Agustín DÍAZ DE MERA GARCÍA CONSUEGRA,
Member of the LIBE Committee, European Parliament

Member of a national Parliament

Discussion

The Lisbon Treaty (Article 88(2) TFEU) prescribes in relation to the future legal framework of Europol (to be decided by means of regulations by the European Parliament and the Council under the ordinary legislative procedure) that it shall also lay down the procedures for scrutiny of Europol's activities by the European Parliament, together with national Parliaments.

The reflection on the modalities and the remits of the scrutiny is an essential exercise in which legislators (national and European) should engage from the very early stages. This session can be one of the frameworks for such a discussion. It must also be underlined that while the European Commission has foreseen the proposal for a regulation on Europol for 2013, the European Parliament called in its November 2009 resolutions for a proposal to be submitted six months after the entry into force of the Lisbon Treaty.

18.30 Cocktail

Paul-Henri Spaak Building, 2nd floor

Tuesday 5 October, 2010

Chair: Mr Juan Fernando LÓPEZ AGUILAR, Chairman of the Committee on Civil Liberties, Justice and Home Affairs (LIBE) of the European Parliament

09.00–10.15 SESSION III

EUROJUST

Mr Aled WILLIAMS, President of the College of Eurojust

Ms Renate WEBER, Rapporteur on Eurojust, LIBE Committee

Ms Christine DEFRAIGNE, Chairwoman of the Committee on Justice,
Belgian Senate

Discussion

Foreseen by the Tampere Conclusions, and already existing since 2001 as provisional Eurojust (pro-Eurojust), Eurojust was formally established in 2002 and further strengthened with Council Decision 2009/426/JHA of 16 December 2008.

Eurojust is composed by one National Member, being a judge, a prosecutor or a police officer of equivalent competence, seconded by each Member State. It has the task of stimulating and improving coordination and cooperation concerning trans-national investigations and prosecutions.

The Treaty of Lisbon devotes a specific provision to Eurojust and provides for the European Parliament and national Parliaments to evaluate its activities.

This session will be an opportunity to discuss the current activities of Eurojust, including the recent reinforcement of its mandate, as well as the future perspectives in light of the Lisbon Treaty.

10.15–11.30 SESSION IV

25TH ANNIVERSARY OF THE SCHENGEN AGREEMENT

Mr. Gunter CEUPPENS, Chair of the SCH-EVAL working group, Belgian presidency

Mr Carlos COELHO, Rapporteur on Schengen, LIBE Committee

Ms Anne-Marie ESCOFFIER, French Senate

Discussion

Twenty five years ago, on 14 June 1985, five Member States (Belgium, France, Germany, Luxembourg and the Netherlands) signed a treaty to create between them an area without internal borders. It is known as "the Schengen Agreement", after the name of the town in Luxembourg where it was signed. A further convention was signed on 19 June 1990 and they took effect in 1995, abolishing checks at the internal borders of the signatory states and creating a single external border where checks are carried out in accordance with identical procedures.

Since then, the Schengen area expanded gradually to include almost all EU Member States (except the UK, Ireland, Cyprus, Romania and Bulgaria) and third countries (Iceland, Norway and Switzerland) and common measures were adopted in parallel, notably on visas, asylum and checks at external borders.

11.30–12.30 CLOSING SESSION

PARLIAMENTARY SCRUTINY IN THE AREA OF FREEDOM, SECURITY AND JUSTICE

Mr Juan Fernando LÓPEZ AGUILAR, Chairman of the Committee on Civil Liberties, Justice and Home Affairs, European Parliament

Ms Olga ZRIHEN, Senator, Belgian Senate.

Discussion

PRACTICAL GUIDELINES FOR THE DEBATE

- *Presentations opening each session will be limited to **ten minutes**.*
- *To make it possible for the highest number of parliamentarians to participate in the debate, speaking time will be limited to **two minutes** per contribution / question.*
- *Members are kindly asked to fill in the sheet requesting speaking time (indicating their name and parliament) which will be distributed in the meeting room. The floor will be given in turn to two Members of national Parliaments, followed by one Member of the European Parliament and so forth.*
- *Speakers wishing to supplement their speeches may do so in writing by submitting a document (preferably in English or French) in advance to the secretariat (email: ip-libe@europarl.europa.eu). These documents will be circulated during the meeting.*
- *Meeting documents will be progressively added to the Hearings section of the LIBE Committee pages: <http://www.europarl.europa.eu/activities/committees/homeCom.do?language=EN&body=LIBE>*

IMPORTANT NOTICE FOR THOSE WISHING TO ATTEND THE MEETING

This meeting is open to the public. However, for security reasons, participants who do not have a European Parliament access badge must obtain a pass in advance. Those wishing to obtain such a pass should contact the secretariat (ip-libe@europarl.europa.eu) by **27 September 2010**. It is essential to provide us with your **full name, address and date of birth**. Without this information, the Security Service will not provide entry passes.

ADDITIONAL INFORMATION

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