

ORAL QUESTION WITH DEBATE O-0049/05

pursuant to Rule 108 of the Rules of Procedure

by Jean-Marie Cavada, on behalf of the Committee on Civil Liberties, Justice and Home Affairs
to the Council

Subject: Progress in 2004 on the development of the Area of Freedom, Security and Justice (AFSJ) (Article 2 ECT and Article 39 TEU)

Given that the Constitutional Treaty reinforces transparency and democratic accountability as regards the AFSJ, does the Council undertake in these areas:

- to provide for a change to codecision for legal immigration and integration?
- to involve the European Parliament and the national parliaments in drawing up and implementing legislative and operational programmes (CT III-258), and to ensure that legislative proposals are accompanied by a fundamental rights impact evaluation?
- to consult the EP henceforth on international agreements, action programmes and common positions and to base itself on the codecision procedure by submitting the European Parliament's amendments to Ministers and abolishing all recourse to strict time limits for the consideration of legislative proposals?
- to make accessible the texts submitted for debate or legislative vote at each of its meetings, to redefine with the European Parliament, in Regulation (EC) 1049/01¹, the exceptions to transparency for reasons of public order, and to regulate the arrangements for parliamentary oversight of confidential information, including that linked to the work of SITCEN, COSI and EUROPOL?
- with regard to preliminary rulings, to abolish the limitations on the powers of the Court provided for by Article 68 TEC and to call on the 12 Member States that have not already done so to attribute this power to the Court under the third pillar?
- to prepare for the restoration to the European Commission of the tasks temporarily allocated to the Coordinator of the Fight against Terrorism, and to take steps to resolve the problems connected with the implementation of the action plan against terrorism and organised crime?
- to convert into legislative measures the 'shared values and professional standards of the police' (doc. 11977) and to incorporate EUROPOL in the EU as has already been done in the case of EUROJUST?
- to improve the quality of justice and promote mutual confidence between Member States?
- given that the European Commission plans to table a proposal on 'data retention' and, in late 2005, a proposal on 'the principle of availability', what are the Council's intentions as regards Member States' proposals on the same subject?

Tabled: 31.03.2005

Forwarded: 01.04.2005

¹ OJ L 145, 31.5.2001, p. 43.

Deadline for reply: 22.04.2005