

ORAL QUESTION WITH DEBATE O-0006/08

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 Commission

Subject: 2007 annual debate on the progress made in the Area of Freedom, Security and Justice (FSJA) (Articles 2 and 39 of the EU Treaty)

Having regard to:

- the recent years' experiences of the implementation of a European Freedom, Security and Justice Area,
- the Commission Communication (COM(2007)0373) on the numerous shortcomings still affecting the implementation of the Hague programme,
- the new Treaty which should enter into force on 1 January 2009, which will put an end to the artificial separation of the FSJA policies currently split between a Community and an Intergovernmental legal framework and will strengthen the Institutions' action by making binding the Charter of Fundamental Rights which underpins all these policies,

I am convinced that the Institutions should make better use of the next 18 months before the end of the current legislature,

and ask the Commission if it will agree:

1. to have before the end of 2008 a first structured evaluation of the implementation of the FSJA related policies by associating the European and the national parliaments as provided by Art. 8c of the new EU Treaty and by art. 64 of the new Treaty on the Functioning of the European Union (which are compatible with the current rules of the National Parliaments Protocol);
2. to prepare together with the European Parliament and the next Council Presidencies a specific interinstitutional legislative programme for the FSJA area covering 2008 and 2009 by indicating
  - which measures could be finalised before the entry into force of the new Treaty,
  - and which ones could be politically negotiated in 2008 but formally adopted in the period between January and May 2009;
3. to accept as a main rule that the measures that affect the fundamental rights of European citizens should enjoy full judicial control at national and European level;
4. as a corollary of the previous principle, to undertake in 2008 revision of the texts already in force (such as Regulation (EC) No 2580/2001<sup>1</sup> on the 'Black Lists' or the Mutual Legal Assistance Convention<sup>2</sup>) or still under discussion but which are not bringing a real added value to the protection of EU citizens' rights (such as the proposal on procedural guarantees COM(2004)0328 - CNS 2004/0113).
5. to inform the EP on the foreseeable impact of the UK's opt-out on freedom, security and justice;
6. to fully inform the EP on the result of the Member States' consultation on the impact of the EU anti-terrorist measures.

Tabled: 14.01.2008

Forwarded: 16.01.2008

Deadline for reply: 23.01.2008

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<sup>1</sup> OJ L 344 of 28.12.2001, p. 70.

<sup>2</sup> OJ L 181 of 19.7.2003, p. 25.