DRAFT QUESTIONNAIRE FOR VICE-PRESIDENT BARROT

1. Even after the entry into force of the Lisbon Treaty, EU policies linked to the establishment of the area of freedom, security and justice (AFSJ) will retain the specific features which set them apart from other EU policies, in particular because they concern areas in which the exercise of national sovereignty takes, and will continue to take, precedence over Community action, a situation which justifies the role conferred on the European Council, the Member States' right of legislative initiative and the involvement of the national parliaments in both the framing and assessment of these policies.

Against this background, what role do you intend to play in facilitating Parliament's legislative and political work, as regards both access to the requisite information and effective cooperation with the Council and national parliaments? What measures do you intend to take in order to ensure that the Member States transpose in full and correctly implement European Union legislation by the relevant deadlines? With regard to international agreements, are you prepared to keep LIBE informed about the progress of negotiations, in keeping with the provisions of the EP-Commission framework agreement, whilst reminding third countries of your obligation to keep the EP informed?

2. Once the Lisbon Treaty has been ratified, the Charter will be binding and the EU will accede to the ECHR. As the Commission has already stated, it will no longer solely be a matter of safeguarding fundamental rights, but of promoting them, both when establishing new policies and by reframing the EU *acquis*, in particular its provisions on combating discrimination, promoting human dignity and strengthening the rights inherent in European citizenship.

What do you intend to do to revitalise the Commission's work and interinstitutional cooperation in the area of fundamental rights between now and the end of the Commission's term of office? In the light of your role as coordinator of the Group of Commissioners on Fundamental Rights, will you speed up the drafting of the new Horizontal Directive on combating all forms of discrimination (Article 13 TEC) so that the EP can consider it before the end of the parliamentary term? Is the Commission prepared to consult LIBE regularly on violations of fundamental rights in the EU? Do you intend to strengthen the relevant departments in the Commission and make assessments of the impact of new legislative proposals on fundamental rights more transparent?

3. Against the background of globalisation, the European Union has a growing role to play in the area of migration policy and the Lisbon Treaty will enable Parliament to legislate in the areas of legal immigration and reception and integration policy.

In the light of the goals announced by the European Council, how does the Commission intend to combine the development of a new strategy to protect the EU's external borders, the framing of uniform conditions to govern entry into the EU and residence for immigrants and measures to promote their integration and rights as citizens with efforts to combat the growing phenomenon of the exploitation of persons (immigrants or otherwise) and human trafficking,

whilst safeguarding freedom of movement for Union citizens, preventing the indiscriminate collection of personal data and fighting serious crime and terrorism?

4. Once the Lisbon Treaty comes into force, police and judicial cooperation will be covered by codecision with Parliament and subject to legal review by the Court of Justice. Acts already adopted in this area are to be revised within five years following the entry into force of the Treaty.

Given the severe imbalance in the Union acquis in these areas, which are of vital importance both to European citizens and the Member States, are you prepared to start the preparatory work required in order to submit, as soon as the Lisbon Treaty enters into force, proposals on data protection, procedural safeguards, combating terrorism and mutual recognition in the area of judicial and police cooperation?

5. The final adoption of the regulations on the law applicable to contractual and non-contractual obligations ('Rome I' and 'Rome II'), the directive on certain aspects of mediation in civil and commercial matters, the regulation establishing a European order for payment procedure, the regulation establishing a European small claims procedure and the regulation on the service and notification in the Member States of judicial and extrajudicial documents in civil and commercial matters are all undeniably important stages in the process of establishing a common legal area in the European Union.

In your opinion, are the measures adopted thus far in these areas sufficient? What further measures could be envisaged? In your view, what are the priorities and goals to be pursued over the next few years with a view to fostering the establishment of a European area of justice in civil matters, as provided for in the Tampere Agenda and The Hague Programme? Do you plan to promote the harmonisation of private law in areas linked to market integration, such as commercial or contract law? How would you strengthen the European dimension to the training of lawyers and magistrates?