



ЕВРОПЕЙСКИ ПАРЛАМЕНТ PARLAMENTO EUROPEO EVROPSKÝ PARLAMENT EUROPA-PARLAMENTET
EUROPÄISCHES PARLAMENT EUROOPA PARLAMENT ΕΥΡΩΠΑΪΚΟ ΚΟΙΝΟΒΟΥΛΙΟ EUROPEAN PARLIAMENT
PARLEMENT EUROPÉEN PARLAIMINT NA HEORPA PARLAMENTO EUROPEO EIROPAS PARLAMENTS
EUROPOS PARLAMENTAS EURÓPAI PARLAMENT IL-PARLAMENT EWROPEW EUROPEES PARLEMENT
PARLAMENT EUROPEJSKI PARLAMENTO EUROPEU PARLAMENTUL EUROPEAN
EURÓPSKY PARLAMENT EVROPSKI PARLAMENT EUROOPAN PARLAMENTTI EUROOPAPARLAMENTET



PROGRAMME

JOINT COMMITTEE MEETING

On the initiative of the European Parliament and the Czech Parliament

PROGRESS

IN THE AREA OF FREEDOM, SECURITY AND JUSTICE

*Monday 19 January 2009, 15.00 - 18.30 and
Tuesday 20 January 2009, 09.30 - 13.00*

*European Parliament, Brussels
Room József Antall 4 Q 2*

Introduction

Since the entry into force of the Amsterdam Treaty, the national parliaments and the European Parliament have been meeting to discuss issues related to the development of the area of freedom, security and justice (AFSJ). For the past three years, formal joint committee meetings have also been organised by the LIBE Committee in cooperation with the respective Presidency parliament. These events have proved to be very successful since they give an opportunity to Members of the European Parliament and of national parliaments to discuss the institutional and political developments in the AFSJ - issues which are particularly important to European citizens.

In this respect, the Joint Committee Meeting will be an opportunity to evaluate the implementation of The Hague Programme and to start the discussion on the preparations of the next multiannual programme in the Area of Freedom, Security and Justice. In particular, there will be a special focus on citizenship of the Union using, as a basis, the Commission's Fifth report¹.

¹Report from the Commission, Fifth report on Citizenship of the Union (1 May-30 June 2007), COM (2008) 85 of 15.2.2008.

In addition, one specific aspect of the European Citizenship will be considered: freedom of movement of EU citizens and their family members. One of the most important developments in this area was the entry into force of Directive 2004/38 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States¹. The correct implementation of this Directive is an absolute priority for the EU Institutions and Member States. Analysis of the implementation work of the European Commission and the European Parliament together with national parliaments will be a matter for discussion at this Joint Committee Meeting.

Today the European Union strongly affects the everyday lives of EU citizens. It is an established principle that for a democracy to work well, the general public and organised civil society must be kept properly informed of the actions carried out by their government. This facilitates critical debate and lays the foundations for holding public authorities to account. Transparency and citizens' right to information are widely recognised as the most effective way of fighting and preventing corruption. However, at the EU level there is still room for improvement in order to increase the openness of the institutions and enhance citizens' awareness of EU activities. That is why special attention at the Joint Committee Meeting will be paid to transparency in the decision-making processes both in the EU and in the Member States.

Bearing in mind that citizenship of the Union, freedom of movement and access to documents represents three important pillars of a democratic and citizen-oriented European society, it is of great relevance to hear the views of European and national parliamentarians. They are, after all, the main recipients of citizens' requests and play an important role in shaping laws and policies in the EU.

In general, each session of the Joint Committee Meeting will focus on:

- the state of play of the given policies
- how the situation will and/or should evolve over the next few years
- the exchange of national best practice to inform the debate at EU level
- how to reinforce cooperation between national parliaments and the European Parliament on specific issues linked to the AFSJ and to strengthen the direct dialogue between the European and national parliaments.

The proposals and the topics raised during the meeting will be an essential component of the European Parliament's annual debate foreseen in Article 39 of the EU Treaty. This debate concludes with the adoption of the European Parliament's resolution on the AFSJ in March 2009.

¹ OJ L 158, 30.4.2004, p. 77–123

PRACTICAL GUIDELINES FOR THE DEBATE

- *Presentations opening each session will be limited to 10 minutes.*
- *During the discussion, so as to make it possible for the highest number of parliamentarians to intervene, speaking time will be limited to three minutes per contribution or question.*
- *Members requesting the floor are kindly asked to inform the chair indicating their name and parliament on a special sheet. The floor will be given to Members in the order in which requests are received, and 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:*
<http://www.europarl.europa.eu/webnp/cms/lang/en/pid/11>

IMPORTANT NOTICE FOR THOSE WISHING TO ATTEND THE JOINT COMMITTEE MEETING

This seminar 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 seminar secretariat (ip-libe@europarl.europa.eu) **before 12 January 2009**. 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.

Monday 19 January 2009

15.00–15.15 OPENING SESSION

Welcome by **Mr Gérard DEPREZ**, Chairman of the Committee on Civil Liberties, Justice and Home Affairs of the European Parliament, **Mr Petr KRILL**, Vice-Chairman of the Committee on EU Affairs of the Czech Chamber of Deputies and **Mr Luděk SEFZIG**, Chairman of the Committee on EU Affairs of the Czech Senate.

15.15–17.00 SESSION 1

**ORIENTATION DEBATE ON THE FUTURE MULTIANNUAL PROGRAMME
IN THE AREA OF FREEDOM, SECURITY AND JUSTICE**

Chair: **Mr Gérard DEPREZ**, Chairman of the Committee on Civil Liberties, Justice and Home Affairs of the European Parliament

Introductory speech by **Mr Jacques BARROT**, Vice-President of the European Commission, Responsible for Freedom, Security and Justice.

15.30–15.50 Presentations

Mr Tomáš GRULICH, Member of the Committee on EU Affairs of the Czech Senate
Mr Johan PEHRSON, Member of the Committee on Justice of the Swedish Parliament

15.50–17.00 Discussion

The assessment of the implementation of the Hague Programme was completed by the European Commission in July 2008¹. The process of determining priorities for the forthcoming AFSJ Multiannual programme for 2010-2014 has started and will take into account the problems encountered in implementing both the Tampere and Hague programmes, together with input from the European Parliament's annual debate on the AFSJ.

The European Parliament and the national parliaments will have the opportunity to foster their dialogue on the priorities for the period 2010-2014 and to set strategic priorities for immigration, asylum and integration. The outcome of this session will be reflected in the EP's Resolution on the future of the AFSJ and feed into the Commission's Communication on the future Multiannual Programme.

¹ Communication from the Commission to the Council and the European Parliament - Report on implementation of the Hague Programme for 2007, COM (2008) 373

17.00–18.30 SESSION 2
**EUROPEAN CITIZENSHIP AND FREEDOM OF MOVEMENT OF EUROPEAN
CITIZENS AND THEIR FAMILY MEMBERS**

Chair: **Mr Petr KRILL**, Vice-Chairman of the Committee on EU Affairs of the Czech Chamber of Deputies

17.00–17.20 Presentations

Mrs Adina Ioana VĂLEAN¹, Member of the European Parliament Committee on Civil Liberties, Justice and Home Affairs, European Parliament

Mrs Urszula GACEK², Member of the European Parliament Committee on Civil Liberties, Justice and Home Affairs, European Parliament

17.20–18.30 Discussion

European citizenship is automatically granted to every person holding the nationality of a Member State. Being an EU citizen means enjoying all the rights conferred by the Treaty, including the right to move and reside freely within the EU. It is a reality that more and more European citizens are studying, working and living in a Member State of which they are not nationals. European citizens should be aware of the implications of their European citizenship, its benefits as well as its rights and obligations.

This session will deal with the legal core of citizens' rights, namely the right to move and reside within the EU (Article 18 EC Treaty and in Article 45 of the Charter of fundamental rights of the European Union), the right to vote and stand as a candidate in European and municipal elections in the Member State of residence (Article 19 EC Treaty), the right to diplomatic and consular protection in third countries (Article 20 EC Treaty), the right to petition the European Parliament (EP) and the right to apply to the Ombudsman (Article 21 EC Treaty). Directive 38/2004 merges into a single instrument the complex legislative corpus (two regulations and nine directives) and the rich case-law of the European Court of Justice on the right of entry and residence for Union citizens. The Directive reduces formalities for Union citizens and their families including "registered partners" (for example, by abolishing the system of residence permits for Union citizens) and gives better protection against restrictions of the right of free movement.

19.00 Dinner

Members Restaurant, ASP building, Ground Floor

¹ Rapporteur on the Initiative report on "*Application of Directive 2004/38/EC on the right of EU citizens and their family members to move and reside freely within the territory of the Member States*" (INI 2008/2184)

² Rapporteur on the initiative report on "*Problems and prospects concerning European Citizenship*" (INI 2008/2234)

Tuesday 20 January 2008

9.30–11.10 SESSION 3

**CRITICAL ASPECTS OF THE PROPOSAL ON THE REVISION OF REGULATION
1049/2001 ON PUBLIC ACCESS TO EU DOCUMENTS**

Chair: **Mr Luděk SEFZIG**, Chairman of the Committee on EU Affairs of the Czech Senate

9.30–10.00 Presentations

Mr Alexandr VONDRA, Deputy Prime Minister of the Czech Republic representing the Presidency of the Council of the European Union

Mr Michael CASHMAN¹, Member of the European Parliament Committee on Civil Liberties, Justice and Home Affairs

Mrs Margot WALLSTRÖM, Vice-President of the European Commission responsible for Institutional Relations and Communication Strategy

10.00–11.10 Discussion

According to Article 1(2) of the Treaty on European Union, Community institutions and bodies must take decisions as openly as possible and as closely as possible to the citizen. Article 255 of the EC Treaty sets out the principle that EU citizens and residents of EU Member States have a right of access to European Parliament, Council and Commission documents. The right of access to documents is recognised as a fundamental right in Article 42 of the EU Charter of Fundamental Rights. The principle and exceptions applied to the fundamental right of access to EU documents are regulated in detail in the transparency Regulation 1049/2001². At the time that this Regulation was adopted, the prevailing political climate was in favour of increasing transparency and the Regulation has, on the whole, worked well. However, during its implementation, it became clear that there is room for improvement in the light of the requests put forward by the European Parliament in 2006³ and following the case law of the European Court of Justice. In April 2008, the European Commission presented a proposal for the revision of this Regulation, which some national parliaments have assessed as a step backwards for transparency. The session will allow for an exchange of views on this controversial proposal.

¹ Rapporteur on the proposal for revision of Regulation (EC) N° 1049/2001 on public access to European Parliament, Commission and Council documents

² Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents, which became applicable on 3 December 2001, OJ L 145 of 31.5.2001, p. 43

³ Cashman's Report with recommendations to the Commission on access to the institutions' texts, (2004/2125(INI)), A6-0052/2006

11.10–12.40 SESSION 4
TRANSPARENCY IN THE EU DECISION-MAKING PROCESS

Chair: **Mr Gérard DEPREZ**, Chairman of the Committee on Civil Liberties, Justice and Home Affairs of the European Parliament

11.10–11.30 Presentations
Best practices in Member States in the transparency field

Mrs Beatrice ASK, Minister of Justice, Kingdom of Sweden
Mr Kimmo SASI, Chairman of the Constitutional Law committee of the Finnish Parliament

Access to documents of public authorities is a subject to be dealt with by all governments and parliaments of the EU Member States. It is useful to look at the most transparency-minded Member States. Their practice could be a source of inspiration not only for revision of Regulation 1049/2001 on public access to EU documents, but also for other national practices. Increasing transparency in the decision-making process at the EU level could contribute to overcoming the concerns about its legitimacy and thus improve the image of the EU.

11.30–12.30 Discussion

Concluding remarks by **Mr P. Nikiforos DIAMANDOUROS**, the European Ombudsman
"What inspiration can EU Institutions draw from Member States' best practices in transparency and in good governance?"

12.40–13.00 CLOSING SESSION
**CONCLUSIONS AND PERSPECTIVES OF AN INTERPARLIAMENTARY
WORKING AREA**

Conclusions by **Mr Luděk SEFZIG**, Chairman of the Committee on EU Affairs of the Czech Senate, **Mr Petr KRILL**, Vice-Chairman of the Committee on EU Affairs of the Czech Chamber of Deputies and **Mr Gérard DEPREZ**, Chairman of the Committee on Civil Liberties, Justice and Home Affairs of the European Parliament.

PRESS POINT