

Justice and Home Affairs Council

a) Home Affairs

1. Completing the implementation and evaluation of the Hague Programme and the preparation of the “Post-Hague Programme”

The key task of the Czech Presidency will be to complete the implementation of the *Hague Programme*, which provides a concept framework for all activities aimed at building the area of freedom, security and justice. The Czech Republic will not try to complete all the *dossiers* at any cost, but will consider their substantive basis in the primary EU legislation as well as their real added value. Regarding the negotiated activities, it will advocate the presence of an adequate dimension of human rights and freedoms, including the aspect of personal data protection. In addition, it will promote appropriate evaluation of the practical results and the effectiveness and efficiency of the implemented legal instruments. The Czech Republic will cooperate with the Commission on the preparation and implementation of the mechanism of impact assessment of the JHA acquis.

Owing to the expiration of the Hague Programme in 2009, an important activity of the Czech Presidency in the area of Justice and Home Affairs will involve launching the preparations of a *new multi-annual programme in the area of justice and home affairs for the years 2010 – 2014 (i.e. post-Hague Programme)*. The Czech Republic believes that the post-Hague Programme should be a comprehensive document setting out realistic goals and an achievable time schedule. In developing the new multi-annual programme, the Czech Republic will take into account the commonly shared principles of subsidiarity and proportionality. The EU should not significantly extend its mandate to matters of internal organization and procedures in individual states, e.g. regulate the cooperation of law enforcement bodies within Member States. As regards the development of the multi-annual programme, the Czech Presidency will also advocate due consideration of the results of the High Level Advisory Group on the Future of European Justice and Home Affairs Policies (the “Future Groups”), which completed their final reports in June 2008.

2. Asylum and migration policy; integration and intercultural dialogue

The Czech Republic will endeavour to advance the development of a common European asylum and migration policy. During its Presidency, it will be an active player in

implementing the European Pact on Migration and Asylum, the proposal of which is currently being discussed and should be adopted by the European Council in October 2008.

The Czech Republic will focus on building the *Common European Asylum System* in accordance with the recommendations in the *Green Paper on the Common European Asylum System* of June 2007 and the consequential *Asylum Policy Plan* of June 2008. As regards this area, the Czech Republic believes that it is important to ensure access to international protection for legitimate seekers on the one hand, while eliminating the room for abusing the asylum procedures on the other. A priority for the Czech Republic in this context will be to renegotiate the existing directives and regulations with a view to raising the achieved minimum standards; it will particularly focus on **revising the Reception Directive** *laying down minimum standards for the reception of asylum seekers* and *the Dublin Regulation establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application*, on the grounds of proposals to be submitted by the Commission in the autumn 2008.

Another key issue during the Czech Presidency will be a further **development of the legal migration policy** in the context of the expectant demographic changes in Europe. In connection with the debated legislative proposals likely to be submitted by the Commission in the first quarter of 2009, the purpose of which is to facilitate access of selected categories of third country nationals to jobs in the EU (season workers, intracorporate transferees and remunerated trainees), the Czech Republic will seek to **remove the remaining transition periods for EU-8 citizens**.

A pillar topic in the area of external cooperation will be the development and implementation of the *Global Approach to Migration* with an emphasis on the Eastern and South-Eastern dimensions of the dialogue and the cooperation with third countries in the context of the European Neighbourhood Policy. The Czech Republic will support this dimension by holding a ministerial conference on building migration partnerships in April 2009, with the countries of the Community of Independent States, Western Balkans and Turkey.

The Czech Republic will continue **creating an efficient policy of integrating foreigners** in the EU, which is an integral part of the complex migration policy. Here, the Czech Republic will focus on supporting the realization of the social and economic potential of migrants and preventing the isolation of specific groups or individuals. The Czech Republic will support the development of a common platform for Member State cooperation

in exchanging information and good practices within the EU, also through such projects as the *Handbook on Integration* or a web page on integration in the EU. An emphasis will be placed on their practical utility and the responsibility of Member States in the process of their creation and upgrading.

Another issue in focus will be the **intercultural dialogue** among all members of the society, as an instrument of non-conflict inclusion of immigrants and different religious confessions and cultures in the society, of mutual learning, understanding and respect among the country's inhabitants. The dialogue will be based on supporting the exchange of information and the experience of the Member States in this field.

3. Border protection, Schengen cooperation and visa policy

The Czech Republic will work for a **further development of Schengen cooperation** and all measures related to the security of the Schengen area, including the protection of the external EU border.

The main priorities of the Czech Presidency in this area will include the development of two information systems of essential importance, which personify the new dimension of mutual cooperation of the Member States while being efficient instruments for combating criminal activities and illegal migration. *The Visa Information System (VIS)*, which should be launched in May 2009, will enable reliable identification of a visa holder and visa verification at the moment of a person's entry to or travel within the Schengen area and at the same time intensify mutual consultations of Member States in examining the applications for Schengen visas lodged by third country nationals. As regards the *Schengen Information System of the Second Generation (SIS II)*, the Czech Republic will actively strive to keep up with the current schedule, which envisages the launch of SIS II in September 2009.

Practical compliance with the Schengen acquis relating to border control, police cooperation, personal data protection and visa issues will continue being checked through the *Schengen evaluation mechanism*. During the Czech Presidency, we will see the beginning of the practical part of the evaluations of the readiness of new states (Bulgaria, Romania, possibly Liechtenstein) to join Schengen. At the same time, a new round of evaluations of Schengen states (Belgium, Netherlands, Luxembourg, France and Germany) and their practical compliance with the Schengen regulations is to start at this period. The Czech Republic will strive for an objective evaluation and a further improvement of the evaluation mechanism, which should be achieved also through the discussions on the Commission proposal for its modification, to be published in the autumn 2008.

A necessary prerequisite for the development of Schengen cooperation in the visa area is a clearer specification of the harmonized rules and a unification of practice, which should be achieved by means of the *Visa Code* as pivotal legislation regulating this area. If the Code is not adopted during the French Presidency, this task will become a priority of the Czech Presidency.

A topical issue during the Czech Presidency will be the **EU Integrated Border Management**. The Commission plans to submit studies on the application of modern technologies in the area of border protection, as well as an evaluation of Frontex. On the basis of this evaluation, the Commission will present legislative proposals amending the Council Regulation establishing Frontex. Following these steps by the Commission, the Czech Presidency will work for finding a common approach to a proportionately **balanced border management model**, including an increased ability of Frontex to provide a substantial added value to the Member States' efforts to ensure a high level of EU external border security.

The steps already taken and the envisaged dynamic changes in the area of border management (adoption of the Schengen Border Code, the Visa Code, the launch of VIS and SIS II) will also lead to necessary discussions on the **amendment to the Schengen Catalogue of recommendations and best practices regarding external border control**.

4. Police and customs cooperation

One of the priority tasks of the Czech Presidency will be to start the *implementation of the Council decision on establishing the European Police Office (Europol)*, so that Europol as an EU agency can by means of its new legal basis become an efficient instrument of police cooperation of the Member States and a valuable source of high quality analyses and information. In connection with police cooperation of EU Member States, the Czech Republic will also focus on improving the operation and cooperation of relevant EU agencies. If the *Handbook on Police cooperation*, currently being prepared by the Drafting Group, is not finished during the French Presidency, it is expected to be finalized during the Czech Presidency. The Czech Presidency will also cooperate in seeking ways of enhancing cooperation between the police and customs authorities. One of the expected results of this cooperation is the evaluation of the questionnaire on customs and police cooperation in individual Member States to be carried out during the Czech Presidency. Furthermore, the Czech Republic will emphasize enhancing international cooperation in the area of education and training of police officers, particularly through the activities of *CEPOL* (a network of EU national training institutions). The Czech Presidency will support the exchange of experience

in the area of security related research, in particular the fight against terrorism and organized crime; to support this, it will organize a conference on computer crime.

The Czech Republic will focus on possible **measures to improve the international protection of children**. With no more controls at the internal borders, successful prevention and the detection of violence (particularly sexual violence) requires a maximum level of sharing of information on former perpetrators of this crime. The Czech Presidency intends to focus, in particular, on the possible use of SIS in this area (wanted offenders, missing minors etc.), as this system is able to provide the police with relevant information within a short time.

5. Fight against terrorism and organized crime

In the area of the **fight against terrorism**, a major problem continues to be radicalization and the recruitment of new members of terrorist groups. Apart from the traditional areas of interest, the Czech Republic is going to direct its attention to enhanced cooperation with the partners from the Western Balkans. The Czech Presidency is also likely to complete the second round of the Member States' evaluation, started in 2008, regarding their ability to respond to terrorist attacks ("preparedness and consequence management"). This evaluation round should bring an analysis of the structure and capacities of the Member States in the area of crisis management, internal security and public order, the identification of best practices and proposed recommendations for improvement.

Concerning organized crime, one of the principle problems is **trafficking in human beings**. The Czech Republic believes that it is necessary to undertake joint activities of the Presidency Trio relating to the preparation of analyses of the current situation as well as of the trends in the prevention of human trafficking and the programmes for victims. There is also a need for activities helping the victims trafficked for other purposes than sexual exploitation (e.g. for the purpose of forced labour, petty crime etc.). At the same time, a strong emphasis will be placed on eliminating the room for exploiting migrant labour, as well as on joint campaigns to prevent trafficking in human beings in the countries of origin.

The main priorities in the area of **drug policy** will be the implementation of *a new action plan for 2009 – 2012* in close cooperation with the Commission, Europol and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA); the UNGASS evaluation – evaluating the ten-years of fulfilling the conclusions of the 20th UN General Assembly Special Session; the application of a multi-disciplinary approach to the issue of amphetamine production and use; and solving the growing problem of the migration of drug users.

The Czech Republic is fully aware of the need to improve the European ability to combat **cyber threats**. A particular attention will be devoted to increasing public awareness of the potential threats and the recommended ways of action/conduct to reduce the risks associated with cyber threats. Other aspects considered will be an increased mutual cooperation in research and development, as well as the coordination of EU positions regarding illegal contents on servers located in third countries.