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**COMMUNICATION FROM THE COMMISSION
TO THE COUNCIL AND THE EUROPEAN PARLIAMENT**

**BIANNUAL UPDATE OF THE SCOREBOARD TO REVIEW PROGRESS ON THE
CREATION OF AN AREA OF “FREEDOM, SECURITY AND JUSTICE” IN THE
EUROPEAN UNION**

(FIRST HALF OF 2001)

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1. INTRODUCTION

The European Council meeting in Tampere on 15 and 16 October 1999 invited the Commission to make a proposal for an “appropriate **Scoreboard** mechanism” whose purpose would be to “keep under constant review progress made towards implementing the necessary measures and meeting the deadlines” set by the Treaty of Amsterdam, the Vienna Action Plan and the Tampere conclusions for the creation of an “area of freedom, security and justice”. In response to this invitation, the Commission presented in March 2000 a communication to the Council and the European Parliament (COM(2000)167 of 24 March 2000) entitled “Scoreboard to review progress on the creation of an area of freedom, security and justice in the European Union”. A consolidated version was made available on 29 May 2000, incorporating a number of clarifications resulting from comments made by certain Member States either during the Council session of 27 March 2000 or subsequently.

The first biannual update of the Scoreboard in accordance with the Commission's undertaking to review it once per Presidency was presented in November 2000 under the French Presidency (COM(2000)782 of 30/11/2000). Like the November 2000 edition, this six-monthly review does not make any changes to the format, aims or scope.

However, a new chapter has been added in this May 2001 edition, covering a number of Member State initiatives which have a link with the Tampere conclusions and the Vienna Action Plan.

The main changes are to be found in the “state of play” column, which represents the “moving target” that the conclusions of Tampere set for all institutions and the Member States, enabling progress to be monitored in relation to the objective of creating and developing the European Union as an area of freedom, security and justice.

The current version of the Scoreboard, although unchanged in terms of its structure, opens up the discussions which the institutions must pursue between now and the Laeken European Council in December 2001, when, in accordance with the Tampere conclusions as reaffirmed by the Stockholm European Council in March 2001, the progress made in creating an area of freedom, security and justice in the European Union will have to be evaluated.

Since the last version in November 2000, the work of the institutions has continued. The Commission has presented legislative proposals and/or communications on the uniform visa format, minimum standards for the reception of asylum seekers, the status of third-country nationals who are long-term residents, mutual recognition of decisions on parental responsibility, the recasting of Community instruments on the right of abode and the right to stay, strengthening security in the information society, and common definitions, charges and penalties for drug-trafficking. For their part, certain Member States have also presented several initiatives currently on the table at the Council.

The European Parliament has expressed its opinions on the different proposals for legislation which have been submitted to it, and has not hesitated to express a negative opinion when it has felt that their content corresponded only partly, if at all, to the intended line of policy.

As regards the instruments which have been or will be adopted under the Swedish presidency, we can cite, for example, the framework decision on the status of victims, the setting up of the provisional Eurojust unit (which should be replaced in December 2001 by the definitive unit), temporary protection, the civil judicial network and the crime prevention network.

Our balance sheet shows that the timetable has already slipped somewhat and shows a lack of visible, concrete actions in certain areas. Furthermore, it must be noted that although a number of projects were planned for April 2001 in the Vienna Action Plan and at Tampere, this schedule has not been adhered to. This is the case, for example, with certain legal instruments on asylum, and the fight against certain types of crime, such as corruption, drug trafficking and cyber-crime. The ratification of conventions on extradition and the implementation of the Mutual Legal Assistance Convention and other aspects of mutual assistance have also been delayed.

We are all partly responsible; it is true that the Commission has presented a number of proposals later than originally intended. The delays concern the revision of the Rome Convention on contractual obligations, the proposal on the common definition, charges and penalties for drug-trafficking, and the proposal for the revision of the Dublin Convention. However, the Commission will be in a position to present, before the summer, all the proposals on the definition of an asylum and immigration policy in line with the principles agreed at Tampere. As for the Council, it has not yet reached an agreement on the Commission's proposal on family reunification, amongst other things, and numerous conventions have not yet been ratified by all 15 Member States.

And yet, as noted above, there has been no let up in the work. However, some of it has been directed at one-off activities which have only contributed a very limited added value. It is expected that the Laeken European Council will not only evaluate the progress achieved but that it will also consider actions that have not yet been undertaken.

The Scoreboard also shows cases where the actions envisaged are not actually put into effect, as is the case with the fight against tax fraud and the instruments intended to supplement the fight against money-laundering.

We must therefore continue the debate about priorities and about the most efficient way of meeting the objectives within the deadlines, with a view to giving the necessary boost to the pace of the work in the areas where the worst delays have occurred.

2. A COMMON EU ASYLUM AND MIGRATION POLICY

The separate but closely related issues of asylum and migration call for the development of a common EU policy to include the following elements:

2.1. Partnership with countries of origin

A comprehensive approach to migration will be developed, addressing political, human rights and development issues in countries and regions of origin and transit, on the basis of a partnership with those countries and regions and with a view to promoting co-development.

Objective	Action needed	Responsibility	Timetable for adoption	State of play
Assessment of countries and regions of origin and transit in order to formulate specific integrated approaches	Continuation of the mandate of the High Level Working Group on Asylum and Migration	Council and Commission		Ongoing work within the HLG. Action plan for Albania and the neighbouring regions adopted by the Council in June 2000. The report on the implementation of the action plans already adopted was presented to the Nice European Council in December 2000
	Assessment of other countries and regions in view of drawing up new action plans	Council and Commission	April 2001	Following this report adopted by the Council, new action plans should be drawn up on the basis of the experience acquired in implementing the action plans adopted so far. Criteria must be defined before choosing the countries or regions for which new action plans will be made.
	Implementation of a new budgetary instrument for cooperation with third countries of origin and transit ¹	Council and Commission	As quickly as possible	In accordance with the decision by the Budgetary Authority, the Commission will select preparatory actions under the 2001 budget (EUR 10 million) The Commission intends to present a proposal for a legal basis in the first half of 2001 ²

¹ Follow-up to EP resolution of 30 March 2000.

² See also table on “Management of migration flows”.

2.2. A common European asylum system

The aim is to ensure full and inclusive application of the Geneva Convention, ensuring that nobody is sent back to persecution, i.e. maintaining the principle of *non-refoulement*.

In the long term, a common asylum procedure and a uniform status for refugees must be established, to be valid throughout the Union.

Secondary movements by asylum seekers between Member States should be limited.

Agreement will be actively sought on a temporary protection regime for displaced persons, on the basis of solidarity among Member States.

Objective	Action needed	Responsibility	Timetable for adoption	State of play
Determination of the State responsible for the examination of an asylum application	Examination of the effectiveness of the Dublin Convention	Evaluation to be conducted by the Commission	2000	Questionnaire sent by the Commission to the Member States in June 2000 Final evaluation report presented in April 2001
	Adoption of criteria and mechanisms (regulation)	Council, on the basis of a Commission proposal	April 2001	Commission's staff working document presented in March 2000 The Commission intends to present a proposal in the first half of 2001
	Finalise work on EURODAC	Council and Commission		Adoption of the Eurodac regulation by the Council in December 2000 Development of the central unit by the Commission, in contact with the experts from the Member States.
A fair and efficient asylum procedure	Adoption of common minimum standards on procedures for granting or withdrawing refugee status with a view, inter alia, to reducing the duration of asylum procedures, and with special reference to the situation of children (directive)	Council, on the basis of a Commission proposal	April 2001	The Commission presented a proposal in September 2000
	Definition of common minimum conditions for reception of asylum seekers (with particular attention to the situation of children) (directive)	Council, on the basis of a Commission proposal	April 2001	Council conclusions adopted in November 2000 on the basis of a French Presidency working document The Commission presented a proposal in April 2001
	Common asylum procedure	Commission (in part)		The Commission presented a communication in November 2000, proposing a two-phase approach. The Commission undertakes to submit annually, from next December, a progress

				report on the implementation of the first phase instruments.
Uniform status throughout the Union for those who are granted asylum	As a follow-up to the Commission communication, a legislative instrument may be needed	Council, on the basis of a Commission proposal		The Commission presented a communication in November 2000 (see previous point)
	Approximation of rules on the recognition and content of refugee status (directive)	Council, on the basis of a Commission proposal	April 2004	The Commission intends to present a proposal for a directive in the second half of 2001

Adoption of measures on refugees and displaced persons, aimed at giving an appropriate status to any person in need of international protection	Temporary protection in the event of mass influx of displaced persons in need of international protection (directive)	Council, on the basis of a Commission proposal	As quickly as possible	The Commission proposal for a directive presented in May 2000 Parliament opinion in March 2001
	Subsidiary forms of protection (directive)	Council, on the basis of a Commission proposal	April 2004	The Commission intends to present a proposal for a directive in the second half of 2001
Ensuring a balance of effort between Member States in receiving refugees and displaced persons and bearing the consequences of such intake	Setting up a European Refugee Fund (decision)	Council, on the basis of a Commission proposal	As quickly as possible	Decision adopted by the Council in September 2000 Exercises 2000 and 2001 under way .
	Making a financial reserve available in the event of mass influx of refugees	Council and EP, possibly on the basis of a Commission proposal		The Commission is exploring possibilities

2.3. Fair treatment of third-country nationals

The conditions for admission and residence of third-country nationals will be approximated, on the basis of a shared assessment of economic and demographic developments within the Union, as well as of the situation in the countries of origin.

An integration policy should aim at granting third-country nationals who reside legally on the territory of Member States (and in particular long-term residents), rights and obligations comparable to those of European Union citizens, as well as enhancing non-discrimination and the fight against racism and xenophobia.

Objective	Action needed	Responsibility	Timetable for adoption	State of play
Fight against all forms of discrimination, especially racism and xenophobia ³	Implementation of the principle of equal treatment between persons irrespective of race or ethnic origin (directive)	Council, on the basis of a Commission proposal	June-December 2000	Directive adopted by the Council in June 2000. Implementation deadline: 19 July 2003.
	Establishment of a general framework for equal treatment in employment and occupation (directive)	Council, on the basis of a Commission proposal		Directive adopted by the Council in November 2000. Implementation deadline: 2 December 2003.
	Programmes drawing upon best practices and experiences (decision)	Council, on the basis of a Commission proposal		Decision adopted by the Council in November 2000 on the Community action programme (2001-06) to support Member States' efforts. Programme launched 1 January 2001.
	Strengthening of cooperation with the European Monitoring Centre on Racism and Xenophobia and the Council of Europe	Council / Commission		Official opening of the Centre on 7 April 2000. Second annual report published in December 2000.

³ Measures aimed at enhancing non-discrimination and at fighting racism and xenophobia apply generally to all persons residing in the territory of the European Union; they are particularly relevant with regard to third-country nationals.

	Enhancing police and judicial cooperation in preventing and combating racism and xenophobia – common charges for racism and xenophobia (framework decision) ⁴	Council, on the basis of a Commission proposal		The second report on the implementation of the Joint Action of 15 July 1996 is expected in 2001 The Commission intends to present a proposal for a framework decision before the end of the second half of 2001.
Approximation of national legislation on the conditions for admission and residence of third-country nationals	Assessment of present and future migration flows into the EU, with regard to demographic changes, the situation of labour market, as well as migration pressures from countries and regions of origin	Council / Commission / Member States		The Commission communication of November 2000 covers this aspect. The Commission intends to present, in the second half of 2001, a communication on implementing an open coordination policy on immigration.
	Conditions of entry and residence for the purpose of (a) family reunification, (b) study or vocational training, (c) paid employment and self-employed economic activity (directives)	Council, on the basis of Commission proposals		Commission proposal for a directive on the right to family reunification submitted to Parliament and Council on 1 December 1999 Parliament opinion in September 2000. The Commission plans to present proposals for directives on admission for employment, study, vocational training or other purposes in the second half of 2001.
	Standards and procedures for the issue of long-term visas and residence permits (directive)	Council, on the basis of Commission proposals		
Approximation of the legal status of third-country nationals	Definition of a set of uniform rights (e.g. the right to reside, receive education and work as an employee or a self-employed person) to be granted to third-country nationals who have resided legally in a Member State for a period of time to be determined (directive)	Council, on the basis of Commission proposals		Council conclusions adopted in November 2000 The Commission presented a proposal for a directive on long-term resident status in March 2001
	Determination of the criteria and of the conditions under which, like Community nationals and their	Council, on the basis of Commission		The Commission intends to present a communication on implementing an open

⁴ See also table on “Fight against certain forms of crime”.

	families, third-country nationals could be allowed to settle and work in any Member State of the Union, taking account of the consequences for social equilibrium and the labour market (directive)	proposals		coordination policy on immigration in the second half of 2001 (see above).
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2.4. Management of migration flows

Management of migration flows should be improved at every stage through close cooperation with countries of origin and transit.

The fight against illegal immigration will be enhanced by combating the criminal networks involved while securing the rights of victims.

Objective	Action needed	Responsibility	Timetable for adoption	State of play
To improve the exchange of statistics and information on asylum and immigration (this exchange should include statistics as well as information on national legislation and policies)	Further implementation of the action plan adopted by the Council in April 1998	Commission, in cooperation with Member States		Seminar on the statistical analysis requirements arising from the development of common immigration and asylum policies, organised by the Swedish Presidency in April 2001. Adoption of Council conclusions end May 2001. Preparation of a guideline document by the Commission.
	Setting up of a (virtual) European Migration Observatory	Commission		Preparatory actions (on the basis of previous feasibility study) financed by ODYSSEUS programme; Commission's staff working document presented to the experts from the Member States in June 2000
To enhance the fight against trafficking in human beings and economic exploitation of migrants	Adoption of measures establishing minimum rules on what constitutes a criminal act and what penalties should apply to organised crime linked with trafficking of human beings (framework decision) ⁵	Council on the basis of Commission proposals		The Commission tabled a proposal for a Council framework decision on combating trafficking in human beings in December 2000. The French Presidency presented two initiatives in July 2000, one for a directive and one for a framework decision, on the liability of smugglers.

⁵ See also table on "Fight against certain forms of crime".

				- Parliament opinion (rejection) in February 2001 - Adoption by the Council end May 2001
	Detecting and dismantling the criminal networks involved by making the fight against illegal immigration one of the priorities of operational cooperation	Member States /Commission/ Europol		Putting in place of cooperation frameworks on combating illegal immigration from China and the Western Balkans. The Commission intends to present a communication on combating illegal immigration in the first half of 2001.
	Exploring possibilities for establishing common standards and pooling resources for investigations into illegal immigration networks ⁶			Work in progress in the Council (CIREFI) on improving action against illegal immigration networks (see above).
	Further harmonisation of Member States laws on carrier's liability (directive)	Council on the basis of a Commission proposal or a Member State initiative		The French Presidency tabled a directive in July 2000 - Parliament opinion (rejection) in March 2001
To assist countries of origin and transit	Development of information campaigns on the actual possibilities for legal immigration and prevention of all forms of trafficking in human beings	Council on the basis of Commission proposals	April 2001	The Commission intends to present a proposal for a legal basis for implementing a new budgetary instrument. It is implementing the latter in 2001 with preparatory actions in accordance with the decision by the Budgetary Authority.
	Promotion of voluntary return			

⁶ Transferred from table on "Stepping up cooperation in the fight against crime".
⁷ See also table on "Partnership with countries of origin".

	Strengthening the ability of the authorities in those countries to combat effectively trafficking in human beings			
	Helping third countries to cope with their readmission obligations towards the Union and the Member States			
	To establish a coherent European Union policy on readmission and return	To conclude readmission agreements or to include standard clauses in other agreements between the European Community and relevant third countries or groups of countries	Council, on the basis of Commission proposals	
		Development of common minimum standards on repatriation	Council/Commission/Member States	
				Negotiations under way for readmission agreements with Russia, Pakistan, Sri Lanka and Morocco; presentation by the Commission of recommendations for negotiating briefs for readmission agreements with Hong Kong and Macao. The French Presidency presented a draft directive in July 2000 on the mutual recognition of expulsion orders. Parliament opinion (rejection) in March 2001. Adoption by the Council end May 2001 The Commission intends to present a communication on a common policy on repatriation in the second half of 2001.

3. A GENUINE EUROPEAN AREA OF JUSTICE

The ambition is to give citizens a common sense of justice throughout the Union. Justice must be seen as facilitating the day-to-day life of people and bringing to justice those who threaten the freedom and security of individuals and society. This includes both better access to justice and full judicial cooperation among Member States.

3.1. Better access to justice in Europe

A genuine area of justice must ensure that individuals and businesses can approach courts and authorities in any Member State as easily as in their own and not be prevented or discouraged from exercising their rights by the complexity of the legal and administrative systems in the Member States.

Objective	Action needed	Responsibility	Timetable for adoption	State of play
Ensure legal certainty and equal access to justice	Information campaign and publication of "user guides" on judicial cooperation within the Union	Commission		With a view to facilitating the provision of information to users , the Commission is preparing specific initiatives during 2001, ensuring synergy with the future European Judicial Network and with the work of the Council of Europe
	Establishment of a permanent information system by a network of national authorities (the European Judicial Network for Civil Matters)	Council, on the basis of a proposal by the Commission	2001	The Commission presented a proposal in September 2000 Parliament opinion in April 2001 Adoption by the Council end May 2001
	Proposal to establish minimum standards of legal aid	Council, on the basis of a Commission proposal or a Member State initiative	April 2004	Following presentation of its Green Paper in February 2000, the Commission organised a hearing in February 2001 and intends to present a proposal for a directive on legal aid and financial aspects of proceedings for September 2001.
	Proposal on common procedural rules for small civil and commercial claims, uncontested claims and maintenance claims	Council, on the basis of a Commission proposal or a Member State initiative	April 2004	The Commission intends to present a proposal at the end of 2001 for the creation of a European enforcement order for uncontested claims based on the adoption of minimum rules which will enable any interim enforcement measures to be abolished.

				The Commission will present a Green Paper in 2002 with a view to further approximation of the rules of procedure on uncontested claims and small claims.
	Proposal to establish minimum standards of quality for ADR	Member States to set up the extra-judicial procedures	April 2004	Commission launched the European Extra Judicial net (EEJ net) for consumers. In May 2000 the Council adopted conclusions on alternative dispute resolution. The Commission intends to present a Green Paper in October 2001 with a view to preparing for the establishment of minimum quality standards.
Ensure legal certainty and equal access to justice	Creation of multilingual forms mutually accepted as valid documents in cross-border legal proceedings	Council, on the basis of a Commission proposal or a Member State initiative	April 2004	This issue is dealt with in part in the questionnaire on small claims and will be addressed in the overall context of the various projects on harmonisation of certain rules for civil proceedings.
Protect rights to compensation and provide assistance to victims	Drawing up of minimum standards for protection of victims	Council, on the basis of a Commission proposal or a Member State initiative	2002	The Commission presented a communication in July 1999. In March 2001, the Council adopted a framework decision on the status of victims in criminal proceedings (Portuguese initiative) following Parliament's opinion in December 2000
	Further instruments on approximation of compensation arrangements for victims	Council, on the basis of a Commission proposal or a Member State initiative	2004	Commission intends to present a Green Paper on victim compensation in September 2001

3.2. Mutual recognition of judicial decisions

A genuine area of justice must provide legal certainty to individuals and to economic operators. To that end, judgments and decisions should be respected and enforced throughout the Union.

Enhanced mutual recognition of judicial decisions and judgments and the necessary approximation of legislation would facilitate cooperation between authorities and the judicial protection of individual rights. The principle of mutual recognition should become the cornerstone of judicial cooperation in both civil and criminal matters within the European Union.

As regards civil matters;

Objective	Action needed	Responsibility	Timetable for adoption	State of play
Enhanced mutual recognition of judicial decisions and judgments, and the necessary approximation of legislation, to facilitate cooperation between authorities and the judicial protection of individual rights ⁸	Programme of measures on mutual recognition of civil and commercial decisions (containing measures required for mutual recognition and enforcement; abolishing obstacles for small claims and family litigation)	Council and Commission to adopt a programme	Programme to be adopted by the end of 2000	The mutual recognition programme was adopted by the Council in November 2000. It covers four areas: - for the first area, pilot projects are being launched (see 3.1.4 above); - for the second area, in March 2001 the Commission presented a working paper on mutual recognition in family matters and will also present, in 2001, a proposal for legislation to supplement the regulation on matrimonial matters and parental responsibility - for the third and fourth areas, the Commission will launch preparatory studies in 2001.
	Proposal on minimum standards for specific aspects of civil procedure (new procedural legislation on money payments)	Council on the basis of a Commission proposal or a Member State initiative		The Commission intends to present a Green Paper in 2002 to prepare a legislative initiative (see 3.1.4 above).

⁸ See also table on "Greater convergence in civil law".

	Launching of work on the European Enforcement Order	Council on the basis of a Commission proposal or a Member State initiative		This action has been included in the programme of measures to implement the principle of mutual recognition. The Commission intends to present, before the end of 2001, a proposal for a regulation a European enforcement order for uncontested claims, based on the adoption of minimum rules which will enable any interim enforcement measures to be abolished (see first paragraph of 3.1.4 above). The Commission intends to develop appropriate initiatives so that the current French initiative on rights of access to children (see 3.2.1 above) can be followed up.
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As regards criminal matters;

Objective	Action needed	Responsibility	Timetable for adoption	State of play
Make sure criminals have no safe havens	Ratification of the 1995 and 1996 EU Conventions on extradition	Member States	April 2001	A, FIN, NL, S, EL, D, DK, E and P have ratified the 1995 Convention FIN, NL, P, EL, D, DK and E have ratified the 1996 Convention
	Study on abolition of formal extradition procedures concerning persons fleeing from justice after having been sentenced	Council, on the basis of a Commission proposal	End 2001	Commission intends to present proposals before the end of the third quarter of 2001
	Providing for fast-track extradition procedures	Council, on the basis of a Commission proposal	End 2001	To be included in the Commission's proposal (see above)
	Examine the issue of extradition in relation to procedures in absentia	Council, on the basis of a Commission proposal or a Member State initiative	April 2004	To be included in Commission proposal (see above)
Ensure that decisions taken in one Member	Programme of measures on the application of the principle of mutual recognition to be	Council / Commission	Programme to be adopted by the end	In July 2000 Commission presented a communication on mutual recognition of final decisions in criminal matters

State have effect throughout the Union ⁹	followed by specific instruments		2000	Parliament opinion in May 2001 Joint Council/Commission programme adopted in November 2000
	Application of mutual recognition to pre-trial orders	Council, on the basis of a Commission proposal or a Member State initiative		France, Belgium and Sweden presented an initiative on the freezing of assets and evidence¹⁰ in February 2001 The Commission intends to present, in December 2001, a proposal for a framework decision on the mutual recognition of pre-trial orders in investigations into computer crime
	Examine the feasibility of improved cross-border cooperation on the transfer of proceedings and the enforcement of sentences	Council, on the basis of a Commission proposal or a Member State initiative	April 2004	Included in the programme on mutual recognition (see above) The UK has announced an initiative for a framework decision on the application of the principle of mutual recognition to financial penalties Germany announced an initiative establishing, in accordance with Article 34 of the Treaty on European Union, the Agreement on Co-operation in Proceedings for Road Traffic Offences and the Enforcement of Financial Penalties Imposed in respect thereof
	Study the feasibility of extending and possibly formalising the exchange of information on criminal records	Council, on the basis of a Commission proposal or a Member State initiative	April 2004	Included in the programme on mutual recognition (see above)

⁹ See also table on “Fight against certain forms of crime” (e.g. trafficking in human beings, drug trafficking and terrorism).

¹⁰ See also table on “Special action against money laundering”.

3.3. Greater convergence in civil law

In order to smooth judicial cooperation and enhance access to law, better compatibility and more convergence between the legal systems must be achieved.

Objectives	Action needed	Responsibility	Timetable for adoption	State of play
Eliminate obstacles created by disparities in law and procedures	New procedural legislation in cross-border cases (e.g. provisional measures, taking of evidence, time limits)	Council, on the basis of a Commission proposal or a Member State initiative.	April 2004	Germany tabled an initiative on taking of evidence in September 2000. The issue of procedural law is partly included in the mutual recognition programme. Parliament opinion in March 2001 Adoption by the Council expected end May 2001
	General study to identify and eliminate obstacles to the smooth functioning of civil proceedings	Council to prepare a report	End 2001	The Commission intends to present, in June 2001, a Green Paper on European Private Law, with a view to launching a broad debate on the need for, possibilities and methods of harmonisation in certain areas of substantive private law.
	Finalising the Brussels and the Lugano Conventions ¹¹	Council, on the basis of a Commission proposal	April 2001	The Council adopted the Regulation replacing the Brussels Convention in December 2000. The Commission presented to the Council a recommendation for a negotiating brief for the Hague Convention on a global convention, for which the diplomatic conference will be held in June 2001. The Commission is currently preparing a proposal recommending a negotiating brief for an agreement between the Community and the Lugano countries.

¹¹ See also table on “Mutual recognition of judicial decisions”.

Drawing up a legal instrument on the law applicable to non-contractual obligations.	Council, on the basis of a Commission proposal or a Member State initiative	April 2001	The Commission plans to present a proposal for a regulation before the end of 2001
Revising, where necessary, the 1980 Rome Convention.	Council, on the basis of a Commission proposal or a Member State initiative	April 2001	Commission plans to present a Green Paper at the beginning of 2002 , followed, if need be, by a draft regulation
Preliminary study on the possibility of drawing up a legal instrument on the law applicable to divorce	Council/ Commission	April 2004	In May 2000 the Council produced, on the basis of a questionnaire, a comparative study on national legislation and the position of the Member States. The Commission will initiate a complementary study in 2001
Elaboration of a preliminary study on jurisdiction and the law applicable to matrimonial property and successions	Council/ Commission	April 2004	The issue of court jurisdiction and recognition of rulings is included in the mutual recognition programme (see 3.2.1 above).

4. UNION-WIDE FIGHT AGAINST CRIME

A balanced development of Union-wide measures against all forms of crime, including serious organised and transnational crime, should be achieved while protecting the freedom and legal rights of individuals and economic operators.

In this context, particular attention is drawn to the “European Union Strategy for the beginning of the new Millennium” on prevention and control of organised crime. Some complementary actions, going beyond the Tampere conclusions and called for by the recommendations in this strategy, have been included in this chapter.

4.1. Preventing crime at the level of the Union

Any efficient policy in the fight against all types of crime, organised or otherwise, must include also preventive measures of a multidisciplinary nature.

Crime prevention aspects must be incorporated into actions and programmes against crime at Union and Member State level.

Cooperation between national prevention organisations should be encouraged and certain priority areas should be identified.

Objectives	Action needed	Responsibility	Timetable for adoption	State of play
Prevent crime through reduction of opportunities	Identification and development of common priorities – political guidelines – to be taken into account when preparing new legislation; assessment of new legislation's impact on crime prevention.	Council/ Commission/ Member States		In November 2000 the Commission presented a communication on crime prevention in the European Union, proposing the establishment of a Forum and a programme (Hippocrates) in the field of crime prevention Parliament opinion on the Hippocrates programme in April 2001 First meeting of the Forum on the prevention of organised crime planned for mid-May 2001.

	Integration of crime prevention aspects in actions and programmes against crime at the Union and Member State level – policy guidelines to be adopted by Council	Council/ Commission/ Member States		Following the Council Resolution of December 1998, the Commission and Europol presented jointly, in March 2001, a report on a European strategy on the prevention of organised crime
Facilitate cooperation between Member States	Exchange of best practices and cooperation between national crime prevention authorities in priority areas, possibly by setting up a Community-funded programme addressing such matters as juvenile, urban and drug-related crime Prevention of penetration of organised crime into legitimate economic sectors	Council / Commission/ Member States	2001	Commission communication includes a proposal for a financial instrument (Hippocrates programme - see above) France and Sweden presented an initiative in November 2000 for a Council decision establishing a crime prevention network - Parliament opinion in March 2001 - Adoption by the Council end May 2001

4.2. Stepping up cooperation in the fight against crime

In a genuine area of justice, criminals must not find ways of exploiting differences in the judicial systems of Member States.

Giving citizens a high level of protection implies greater cooperation between the authorities responsible for applying the law. To this end, maximum benefit should be derived from cooperation between authorities in the Member States when investigating cross-border cases.

The Treaty of Amsterdam, by conferring additional powers on Europol, recognised the latter's essential and central role in facilitating European cooperation in preventing and combating organised crime.

Objective	Action needed	Responsibility	Timetable for adoption	State of Play
Coordinate and, where appropriate, centralise proceedings	Set up joint investigative teams, as a first step, to combat trafficking in drugs and human beings as well as terrorism – when investigating cross-border crime		Without delay	The Council adopted the Mutual Legal Assistance Convention in May 2000, Article 13 of which provides for joint teams to be set up. The Portuguese Presidency presented an initiative in March 2000 on anticipating application of Article 13 of the Convention - discussions on which have been suspended
	Setting up a unit composed of national prosecutors, magistrates or police officers of equivalent competence – EUROJUST	Council, on the basis of a Commission proposal or a Member State initiative	End 2001	Adoption by Council in December 2000 of a decision to create a provisional unit in January 2001 (French initiative). Provisional unit put in place March 2001. Preliminary discussions in progress on the definitive unit on the basis of Member State initiatives (France, Portugal, Sweden, Belgium and Germany). The Commission presented a Communication in November 2000 Parliament opinion in May 2001
	Implement and, where appropriate, further develop the European judicial network	Council, on the basis of a Commission proposal or a Member State initiative	April 2001	Pilot project on a telecommunications network to be launched in August 2001

	Prevent conflicts of jurisdiction by examining the possibility of registering proceedings pending in different Member States	Council, on the basis of a Commission proposal or a Member State initiative	April 2004	Included in the mutual recognition programme (see point 3.2) The Commission intends to present, before the end of 2001, a communication on determining criteria for jurisdiction in criminal matters
Provide mutual assistance to the fullest extent possible	Adoption, ratification and implementation of the Convention on Mutual Assistance in Criminal Matters	Council / Member States	April 2001	The Council adopted the Convention in May 2000 Deadline for Member States to initiate applicable procedures: before January 2001¹²
	Consider arrangements under which authorities may operate in the territory of another Member State	Council, on the basis of a Commission proposal or a Member State initiative	April 2001	
	Examine the possibilities for harmonised rules on data protection	Council, on the basis of a Commission proposal or a Member State initiative	April 2001	In October 2000 the Council adopted a decision establishing a joint secretariat for data protection bodies (Europol, CIS, SIS). The Council is discussing a resolution proposed on the initiative of the French Presidency (based on a previous Portuguese initiative).
Protect rights of victims and provide assistance	Drawing up minimum standards	Council, on the basis of a Commission proposal or a Member State initiative	April 2001	Parliament opinion in December 2000 Adoption by the Council in March 2001 of a framework decision on victim's status in criminal proceedings (Portuguese initiative) - (cf. point 3.1)

¹² See also table on “Mutual recognition of judicial decisions”.

Develop operational police cooperation and law enforcement training at EU level	Establishment of a European Police Chiefs' Task Force	Council on the basis of a Commission proposal or a Member State initiative	2001	The third meeting of the European Police Chiefs' Task Force took place in March 2001. At least one meeting per presidency will be organised.
	Establishment of compatible criminal intelligence systems among Member States	Appropriate decision by Council needed		
	Setting up the European Police College – starting as a network of existing national training institutes – open to applicant countries	Council, on the basis of a Commission proposal or a Member State initiative	2001	Adoption by the Council in December 2000 of the decision to set up, in 2001, the European Police College, CEPOL (Portuguese initiative), which has functioned as a network of national police colleges since 1 January 2001. France, Germany and Sweden have launched common training projects starting in 2001 within the framework prefiguring the definitive structure of the European Police College.

Enhance customs cooperation in the fight against crime and regarding the use of information technology	Implementation of the CIS (Customs Information System) and Naples II Conventions.	Member States	Ongoing	Naples II Convention ratified by Greece, Spain, France and Sweden; the latter three agreed to apply it between themselves. The French Presidency is preparing a guide for applying the provisions of the Naples II Convention. The CIS Convention (third pillar) has been ratified by Denmark, Greece, Italy, Germany, Portugal, France, Spain, Sweden, Finland and UK. The Protocol on the provisional entry into force of the Convention has been ratified by all the above except Italy and Portugal. It will be applied among those Member States which have ratified it from November 2000.
	To strengthen law enforcement cooperation against smuggling			In March 2000 , Italy announced an initiative in the field of smuggling
Foster international cooperation in the fight against transnational organised crime	Adoption and ratification of the United Nations' Convention on transnational organised crime and the additional Protocols	Council/Member States/ Commission	End of 2000 for signature	Signature and opening for ratification in December 2000 of the United Nations Convention against transnational organised crime and its Protocols on trafficking in human beings and the smuggling of migrants, to be ratified as soon as possible. Negotiations on the Firearms Protocol completed in February 2001.
Reinforce the role of Europol in facilitating European cooperation in preventing and combating crime with the necessary support and resources	Extend the competence of Europol to cover money laundering in general regardless of the offence from which the proceeds originate	Council, on the basis of an initiative by a Member State		Adoption by the Council in November 2000 of the instrument extending the competence of Europol to cover money laundering (Portuguese initiative). .
	Examine on the feasibility of setting up a database of pending cases	Europol / Council		
	Enable Europol to facilitate the preparation of specific investigative actions by the competent authorities of the Member States, including operational actions of joint investigative teams	Appropriate decision by Council needed	April 2004, without delay for certain areas	Adoption by the Council in November 2000 of a draft recommendation concerning support by Europol for joint investigative teams

	Adopt measures allowing Europol to ask the competent authorities of the Member States to conduct and co-ordinate their investigations in specific cases and to develop specific expertise which may be out at the disposal of M-S to assist them in investigating cases of organised crime	Council on the basis of an initiative by a Member State	April 2004	As a first step, the Council adopted a recommendation in September 2000, calling on Member States to give consideration to requests from Europol to conduct investigations or to coordinate their investigations in specific areas.
	Consideration to be given to the possible need to revise Europol Convention to cover new competencies and the question of democratic and judicial control	Council / Commission		The Commission intends to present, before the end of the 4th quarter 2001, a proposal for a Council Decision on the amendment of the Europol Convention as regards democratic and judicial control, and to facilitate the preparation of specific investigative actions by the Member States. The matter of judicial control must be considered in the context of setting up Eurojust. The Swedish Presidency intends to present a proposal to extend Europol's powers to all forms of crime mentioned in the Annex to the Europol Convention.

4.3. Fight against certain forms of crime

With regard to national criminal law, efforts to agree on common definitions, changes and penalties should be focused in the first instance on a limited number of sectors of particular relevance. Agreements on common definitions, charges and penalties regarding serious organised and transnational crime need to be established in order to protect the freedom and legal rights of individual and economic operators.

Objective	Action needed	Responsibility	Timetable for adoption	State of play
Adopt a common approach throughout the EU on cross border crimes	Criminalisation of trafficking in human beings and sexual exploitation of children ¹³ with particular reference to child pornography on the Internet ¹⁴	Council, on the basis of a Commission proposal	April 2001	In December 2000 the Commission presented two proposals for framework decisions on the fight against trafficking in human beings, the sexual exploitation of children and child pornography Parliament to give opinion June 2001
	Common definitions, charges and penalties ¹⁵ in the field of drug trafficking ¹⁶	Council, on the basis of a Commission proposal	April 2001	The Commission study on the legislation and regulations on drug trafficking in the EU Member States was finalised in March 2001 The Commission intends to present, in the first half of 2001, a proposal for a framework decision laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of drug trafficking
	Common definitions, charges and penalties in the field of corruption	Council, on the basis of a Commission proposal	April 2001	Commission plans to present a working document in the second half of 2001
	Common definitions, charges and penalties in the field of environmental crime	Council	April 2001	Denmark presented an initiative in January 2000. The Council agreed in September 2000 that it was appropriate

¹³ See also table on "Management of migration flows".

¹⁴ See also table on "Mutual recognition of judicial decisions".

¹⁵ See also table on "Cooperation against drugs".

¹⁶ See also table on "Mutual recognition of judicial decisions".

				to draw up common legislation at European level. A significant body of relevant Community legislation is already in force In March 2001, the Commission presented a proposal for a directive on the Protection of the Environment through Criminal Law, to supplement Denmark's initiative
	Proposal on common charges for hooliganism	Council, on the basis of an initiative by a Member State		The Oisin programme financed a project evaluating cooperation between the relevant services during Euro 2000. Findings expected end April 2001. Initiatives on measures at EU level expected from Belgium and/or Netherlands before the end of 2001

	Common definitions, charges and penalties in the field of racism and xenophobia (framework decision)	Council, on the basis of a Commission proposal or a Member State initiative	April 2004	The second report on the implementation of the Joint Action of 15 July 1996, planned for the end of 2000, is expected in 2001¹⁷ The Commission intends to present, before the end of the second quarter of 2001, a proposal for a framework decision
	Common definitions in the field of preventing and combating cybercrime including common charges and penalties for high-tech crime	Council, on the basis of a proposal of the Commission	April 2001	In January 2001, the Commission presented a communication on creating a safer information society by improving the security of information infrastructures and combating computer-related crime The Commission intends to present, before the end of the second quarter of 2001, a proposal for a framework decision on computer piracy
Adopt a common approach throughout the EU on cross border crimes	Criminalisation of fraud involving non-cash means of payment	Council, on the basis of a proposal of the Commission	April 2001	Council agreement in principle in May 2000 Parliament opinion in July 2000 Adoption by the Council end May 20010 The Commission presented an action plan comprising preventive measures at the end of 2000
	Common definitions, charges and penalties as regards counterfeiting of the euro	Council/ Commission/Member States	April 2001	Framework Decision on criminal penalties for counterfeiting the euro adopted by the Council in May 2000. Agreement in principle on the regulation proposed by the Commission in February 2001 France presented an initiative on a draft decision and draft

¹⁷

See also table on “Fair treatment of third-country nationals”.

				Council conclusions on the protection of the euro Parliament opinion early May 2001
	Criminalisation of fraud in public tendering procedures	Council, on the basis of an initiative by a Member State	April 2001	Germany presented an initiative in March 1999
	Reinforcing the legal framework for the protection of the Community's financial interests	Council and EP, on the basis of a Commission proposal		Commission communication on an overall fraud prevention strategy in June 2000 The 2001-02 Action Plan will be presented in the near future The Commission intends to present, before the end of the first half of 2001, a proposal for a Council and Parliament Directive on the protection under criminal law of the Communities' financial interests The Commission intends to present, before the end of 2001, a Green Paper on the protection under criminal law of the Communities' financial interests The Commission intends to present, before the end of 2001, a proposal for a regulation on a cooperation mechanism to combat criminal activities damaging the European Communities' financial interests (including VAT and money-laundering)
	Common definitions, charges and penalties for offences linked with terrorism ¹⁸	Council, on a Commission proposal		The Commission intends to present a proposal for a Council framework decision on terrorism before the end of the 3rd quarter of 2001
	Common definitions, charges and penalties in the field of tax fraud	Council, on the basis of a Commission proposal or an initiative by a Member State		

¹⁸

See also table on "Mutual recognition of judicial decisions".

4.4. Special action against money laundering

Money laundering is at the very heart of organised crime. For that reason measures must be taken to root it out wherever it occurs and to ensure that concrete steps are taken to trace, freeze, seize and confiscate the proceeds of crime.

Objective	Action needed	Responsibility	Timetable for adoption	State of play
Deprive criminals of the proceeds of crime	Convention or framework decision on financial crime, money laundering	Council, on the basis of an initiative by France		The French Presidency presented a draft framework decision on money laundering. Council agreement in principle in October 2000. Parliament opinion in November 2000. Adoption by the Council end May 2001 Discussions in progress on the draft (French initiative) convention on mutual judicial assistance in the fight against organised crime, money laundering and financial crime (advanced stage).
	Concrete steps to trace, freeze, seize and confiscate the proceeds of crime			France, Belgium and Sweden presented, in February 2001, an initiative on the freezing of assets and evidence.
Enhance knowledge and capacity to fight money laundering activities	Implement fully the provisions of the Money Laundering Directive, the 1990 Strasbourg Convention and the Financial Action Task Force recommendations, including implementation in all dependent territories	Member States		1990 Convention to be ratified by Luxembourg. Conclusions adopted by Joint Council (Economic and Financial Affairs, Justice and Home Affairs) in October 2000.
	To adopt the draft directive amending the Money Laundering Directive	Council and Parliament	As soon as possible	Joint position adopted by the Council in November 2000 Parliament opinion on second

			reading in April 2001
More rapid exchange of information between the existing financial intelligence units (FIUs), entitling judicial authorities and FIU to receive information regardless of secrecy provisions.	Council, on the basis of an initiative by Finland		Council decision in October 2000 on the basis of a Finnish initiative.
Community rules must be drawn up to prevent use of non-EU companies and organisations to launder the proceeds of crime	Commission / Council / Member States		
Draw up a report identifying provisions in national banking, financial and corporate legislation which obstruct international cooperation	Commission		Conclusions adopted by the Joint Council (Economic and Financial Affairs, Justice and Home Affairs) in October 2000 call on the Commission to produce a report. This report will be available in the fourth quarter of 2001
Prevent the excessive use of cash payments and study the role of casinos and gambling houses	Commission to initiate study	December 2003	
Ensure the transparency of financial transactions by electronic means	Council/ Commission	December 2001	
Extend the competence of Europol to cover money laundering ¹⁹ in general, regardless of the offence from which the proceeds originate	Council on the basis of a Commission proposal or a Member State initiative		Parliament opinion in November 2000. In November 2000, the Council adopted a decision on widening the competence of Europol to cover money laundering in general (Portuguese initiative).
Improve the legal provisions against money	Council/ Commission/ Member		The Joint Council (Economic and

¹⁹

See also table on “Stepping up cooperation in the fight against crime”.

	laundering with off-shore and on-shore financial centres and tax havens. Support international action with regard to off-shore countries.	States		Financial Affairs, Justice and Home Affairs) adopted conclusions in October 2000 on immediate and coordinated implementation of FATF counter-measures. The measures could be decided on in June 2001.
	Prepare a model agreement for negotiations with off-shore and on-shore financial centres and tax havens		December 2001	The Joint Council (Economic and Financial Affairs, Justice and Home Affairs) adopted conclusions in October 2000 envisaging that agreements could be concluded in the long term.
	Examine possibilities: – for strengthening and making more consistent existing national provisions on controlling cross-border movements of money – for making it easier for Member States to adopt such provisions – for organising exchanges of information between Member States	Commission	July 2001	In line with the Joint Council (Economic and Financial Affairs, JHA) conclusions of October 2000, the Commission is examining the usefulness and feasibility of a European instrument

5. **ISSUES RELATED TO INTERNAL AND EXTERNAL BORDERS AND VISA POLICY, IMPLEMENTATION OF ART. 62 EC AND CONVERTING THE SCHENGEN ACQUIS**

Objective	Action needed	Responsibility	Timetable for adoption	State of Play
Further development of a common visa policy	Regulation on countries whose nationals are respectively exempt from or subject to the visa requirement for crossing external borders	Commission / Council	April 2001	Council adoption in March 2001 of the regulation (Commission proposal) which came into force on 10 April 2001. In accordance with Article 8, the Commission will report on Romania by 30 June 2001 at the latest Presentation of the Commission's recommendations for negotiating briefs for readmission agreements with Hong Kong and Macao (see point 2.4).
	Procedure and conditions for issuing visas by Member States	Commission/ Council/Member States	April 2003	In June 2000 Finland presented an initiative on measures for implementing the common consular instruction. Parliament opinion (rejection) in March 2001 Adoption by the Council, in April 2001, of measures for implementing the common consular instruction.
	Rules on a uniform visa	Commission / Council / Member States	April 2001	To be taken into consideration in connection with proposals on the right to travel within the territory of the Member States.
	Further development of the technical specifications of the uniform format for visas	Commission / Council	Short term measures 2000-2002 – long term measures 2004	In March 2001 the Commission presented a proposal for amending Regulation 1683/95 on a uniform format for visas.
	Uniform format for forms for affixing the visa to travel documents which are not recognised	Commission / Council / Member States	2001	In March 2001 the Commission presented a proposal to amend Regulation 1683/95 on a uniform format for visas (see above)
	Proposal for a regulation on an airport transit visa	Commission/ Council/Member States	April 2001	Possible communitarisation of the Joint Action of March 1996. Finland presented an initiative for a regulation on airport

			transit arrangements
	Closer cooperation between EU consulates in third countries	Member States	Ongoing process
	Measures on the freedom to travel within the territory of Member States	Commission/ Council/Member States	April 2001 In July 2000 the French Presidency presented an initiative on travel on a long-stay visa. - Parliament opinion (rejection) in January 2001 - Adoption by the Council end May 2001 In June 2000 the Portuguese Presidency presented an initiative on travel by nationals exempt from the visa requirement. - Parliament opinion (rejection) in March 2001 Commission intends to present proposals in the first half of 2001.
Further development of a common policy related to false documents	To render documents more secure, introducing minimum standards for travel documents and residence permits	Commission/ Council/Member States	April 2001 In March 2001, the Commission presented a proposal on the communitarisation of the uniform format for residence permits granted to third-country nationals. Adoption in October 2000 of a resolution of the representatives of the Governments meeting within the Council on minimum security standards for travel documents of EU Member States. The Commission intends to present, before the end of the 3rd quarter 2001, a proposal for a regulation on the security of travel documents
	To facilitate the detection of false documents and to provide appropriate training and equipment	Commission/ Council/Member States	Ongoing process Council Recommendation of 29 April 1999 on provision of staff and equipment In March 2000 the Council adopted a decision to improve exchange of information. Training programme financed by Odysseus programme in March 1998.

Control at the external borders of the Union	Close cooperation between the Member States border control services, such as exchange programmes and technology transfer	Commission/ Council/Member States	April 2001	Italy has announced its intention to present a feasibility study on the development of joint actions
	Procedure for adopting certain measures implementing the Common Manual	Commission / Council / Member States		Adoption by the Council in November 2000 of the decision to downgrade parts of the Common Manual (French initiative). Portugal tabled an initiative on measures implementing the provisions in the Common Manual. - Parliament opinion (rejection) in March 2001 - Adoption by the Council in April 2001
	Rapid inclusion of the applicant States in this cooperation	Commission / Council / Member States	Ongoing process	Accession negotiations in progress These issues were discussed at the ministerial meeting with the applicant countries on the sidelines of the Council in March 2001
Converting the Schengen acquis	Communitarisation of Article 2 of the Schengen Convention (safeguard clause allowing the temporary reintroduction of border controls)	Council / Commission / Member States	2001	The Commission intends to present a proposal in the second half of 2001.

6. CITIZENSHIP OF THE UNION

Objective	Actions needed	Responsibility	Timetable for adoption	State of play
Further facilitation of citizens' right to move and reside freely	Directive updating and revising of rules on the right of entry, movement and residence of citizens of the Union	Commission / Council / Parliament	2001	The Commission intends to present a proposal before the end of the first half of 2001.
	Regulation on security of travel documents	Commission / Council / Parliament	2001	The Commission intends to present a proposal before the end of the third quarter 2001.
	Regulation on a uniform format for residence permits for Union citizens and members of their families	Commission / Council / Parliament	2001	The Commission intends to present a proposal before the end of the first half of 2001.
	Regulation to make it easier for school groups consisting of Union citizens and covered by Community law to travel between and through Member States	Commission / Council / Parliament	2001	The Commission intends to present a proposal before the end of the first half of 2001.
Information on exercise of rights attached to Union citizenship	Communication on results of elections to EP	Commission	2000	The Commission presented a communication on the application of Directive 93/109/EC to the June 1999 elections to the European Parliament: right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals
	First report on municipal elections	Commission	2001	The Commission intends to present a report on municipal elections in December 2001
	Third report on the citizenship of the Union	Commission	By the end of 2000	The Commission intends to present a report before the end of the second quarter 2001

7. COOPERATION AGAINST DRUGS

As a collective and individual threat, the drugs problem needs to be addressed in a global, multidisciplinary and integrated manner. The EU drugs strategy for the years 2000-2004 will also be evaluated at mid-term and at completion, with the help of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) and Europol.

Objective	Action needed	Responsibility	Timetable for adoption	State of Play
Implementation of the EU Drugs Strategy for 2000-2004 endorsed by the European Council in Helsinki	Report to the European Council on an EU action plan on drugs (2000-2004)		June 2000	European Union Action Plan to combat drugs (2000-2004) adopted by the Feira European Council in June 2000. The Commission intends to present a communication on the implementation of the Action Plan before the end of the second quarter 2001
	Strengthening of cooperation with the European Monitoring Centre on Drugs and Drug Addiction and Europol in particular as regards synthetic drugs and precursors	Council / Commission/ Member States		The Commission has presented two reports to the Council within the framework of the Action, one on GHB and one on Ketamine. In March 2001 the Council adopted conclusions on GHB and Ketamine in line with the Commission's reports. Sweden presented an initiative for a Council decision establishing a system of special forensic profiling analysis of synthetic drugs and an initiative for a Council decision on the transmission of samples of illegal narcotic substances: currently being examined. Parliament opinion early May 2001
	Development of a methodology for the evaluation of the EU Drugs Strategy for 2000-2004	Council and Parliament on the basis of proposals of the Commission		Development by European Monitoring Centre for Drugs and Drug Addiction in 2001 of methodological instruments to evaluate anti-drug measures.

	Common definitions, charges and penalties in the field of drug trafficking ²⁰	Council on the basis of a Commission proposal	April 2001	The Commission study on the legislation and regulations on drug trafficking in the EU Member States was completed in March 2001. The Commission intends to present, in the first half of 2001, a proposal for a framework decision laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of drug trafficking
	Enhancement of police, customs and judicial cooperation in preventing and combating drug trafficking	Council, on the basis of a Commission proposal or a Member State initiative		In response to Parliament's request to create a new budget heading, the Commission proposed in the preliminary draft budget for 2001 a budget of €1 million for preparatory work on combating the trafficking of illegal drugs.

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See also table on “Fight against certain forms of crime”.

8. STRONGER EXTERNAL ACTION

The European Union underlines that all powers and instruments at the disposal of the Union, in particular in external relations, must be used in an integrated and consistent way to build the area of freedom, security and justice. Justice and Home Affairs concerns must be integrated into the definition and implementation of other Union policies and activities.

Objective	Action needed	Responsibility	Timetable for adoption	State of Play
All powers and instruments at the disposal of the Union, particularly in external relations, must be used in an integrated and consistent way. Justice and Home Affairs concerns must be integrated into the definition and implementation of other Union policies and activities	The Feira European Council was to agree on clear priorities, policy objectives and measures for the Union's external action in Justice and Home Affairs	The Council, in close cooperation with the Commission, is to draw up specific recommendations	June 2000	In June 2000 the Feira European Council adopted a report drawn up by the Council and Commission on external relations in the JHA field, in order to integrate them into the Union's overall strategy and thus to contribute to establishing the AFSJ.

9. OTHER CURRENT INITIATIVES

MEMBER STATES	TITLE	CONNECTION WITH TAMPERE/VIENNA
		State of progress
Finland	Council Regulation on obligations between the Member States for the readmission of third-country nationals	See "Management of migration flows" - Parliament opinion [rejection] May 2000 - Discussion in the Council suspended
Germany	Council Resolution on the undertaking by the Member States to transmit information on illegal immigration and facilitator networks under the Cirefi early warning system	See "Management of migration flows"
France	Council Regulation (EC) on the mutual enforcement of judgments on rights of access to children	See "Mutual recognition of judicial decisions in civil matters". Parliament opinion in December 2000 Debate in the Council in November 2000 In parallel, Commission working document on family law adopted on 27 March 2001
Germany/Belgium/France	Council Decision on a customs investigations identification file	See "Stepping up cooperation in the fight against crime"
Finland	Council Recommendation on the exchange of DNA	Adoption by the Council end May 2001
France	Framework Decision establishing a European judicial training network	- Discussion currently under way - Parliament opinion expected in May 2001
Sweden	Council Decision amending the staff regulations applicable to Europol employees	Adoption by the Council in March 2001 of a Decision amending the staff regulations applicable to Europol employees
Sweden	Council Decision amending the remuneration of Europol employees and the allowances paid to them	Adoption by the Council end May 2001
France	Council Recommendation regarding the assessment of terrorist threats against VIPs	See "Fight against certain forms of crime"
France	Council Decision on the conditions for issuing visas by Member States	See "Issues related to internal and external borders". Discussion under way to find a legal instrument for the common consular instruction