

The legal basis of the Justice, Freedom and Security policy are Articles 29 to 42 of the Treaty on European Union and Articles 61 to 69 and 17 to 22 of the Treaty establishing the European Community. The freedom European Union citizens enjoy to travel, work and live anywhere in the EU can easily be taken for granted. To benefit fully from this right, people need to lead their lives and go about their business in security and safety. They must be protected against international crime and enjoy equal access to justice and respect for their fundamental rights across the Union.

This is why the EU is creating an area of freedom, security and justice.

Once fully in place, the concept will cover issues like fundamental rights, EU citizenship, personal mobility, asylum and immigration, visa policy, managing the EU's external frontiers and close cooperation between national police, judicial and customs authorities. This package will ensure that the policies which apply to EU nationals, visitors and immigrants from other parts of the world – as well as to criminals and terrorists – are uniformly implemented across the Union.

EU government leaders reaffirmed these priorities in November 2004 when they adopted the so-called Hague Programme which states that freedom, justice, control at the EU's external borders, internal security and the prevention of terrorism should henceforth be considered indivisible within the Union as a whole. The European Commission will submit concrete proposals in 2005 to implement the Hague Programme

Guaranteeing fundamental rights

From the beginning, the European Union has been based on respect for human rights, democratic institutions and the rule of law. These values are enshrined in the Charter of Fundamental Rights, which brings together in a single document all the personal, civil, political, economic and social rights EU citizens enjoy. The charter updates existing rights and addresses new issues raised by technological progress such as bio-ethics and data protection. It is an integral part of the new Constitution.

Cooperation between judicial authorities

Special attention is being given to close cooperation between national judicial systems and to ensuring that legal decisions, both civil and criminal, taken in one member state are recognised, and implemented in another.

These principles are especially important in civil proceedings concerning divorce, child custody, maintenance claims, or even bankruptcy and unpaid bills, when the individuals involved live in different countries.

National authorities have been given a new weapon in the fight against crime with the adoption of the European arrest warrant. This replaces lengthy extradition procedures and will ensure that suspected or convicted criminals who have fled abroad to escape the law can be swiftly returned to the country where they were, or will be, tried.

Asylum and immigrationAs more people try to enter the Union from outside, either to escape war, persecution and natural disasters or to carve out a better future, EU governments are developing common solutions to shared challenges. Minimum standards, measures and procedures are being drawn up for asylum seekers. These determine how and where applications should be processed, the status of people granted asylum and the role of national authorities in meeting these responsibilities.

At the same time, the Union is determined to clamp down on illegal immigration and prevent abuses of a system designed to handle bona fide immigrants and to guarantee the security of its own citizens. This

involves strengthening the EU's external frontiers, particularly to the east and south. It imposes considerable responsibilities on new EU members who, for reasons of geography, now take over management of large parts of these frontiers. They are receiving EU financial support for increased cooperation between border guards, police and customs officers, as well as for the adoption of modern techniques like computerised finger-printing and personal data identification.

Fighting crime

Guaranteeing the security of its citizens is one of the Union's central priorities. This means using both practical and legislative weapons to prevent organised criminals - drug barons, people traffickers, money launderers or even terrorists - from exploiting the freedoms the EU brings.

On the practical front, national police forces cooperate more, especially within the framework of Europol. With the help of powerful computer databases, this coordination centre, based in The Hague, collects, analyses and shares information on criminal activities.

The 11 September 2001 terrorist attacks in the United States have led to a coordinated EU response. At that time, only seven of the then 15 EU countries had specific legislation on terrorism. Now, all 25 member states are bringing in such legislation, ensuring consistency on the definition of a terrorist act and the penalties and sentences which apply.

The Union also works with partner countries, notably the US, Russia and countries in the Mediterranean region, as well as international organisations like the office of the UN High Commissioner for Refugees, on devising policies and implementing measures to consolidate its area of freedom, security and justice.