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JAI 611  
JAIEX 54  
JUSTCIV 202  
CATS 105  
DROIPEN 94  
COPEN 195  
COSI 71  
ASIM 63  
MIGR 113  
VISA 182

FRONT 153  
ENFOPOL 219  
PROCIV 61  
DAPIX 102  
CRIMORG 70  
EUROJUST 134  
GENVAL 45  
EJUSTICE 64  
ENFOCUSTOM 89  
FREMP 142

**NOTE**

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From: General Secretariat of the Council  
To: Delegations

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Subject: Extract from the 26/27 June 2014 European Council Conclusions concerning the area of Freedom, Security and Justice and some related horizontal issues.

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Delegations will find attached an extract from the European Council Conclusions concerning the area of Freedom, Security and Justice and some related horizontal issues, as adopted on 27 June 2014.

As it was done before<sup>1</sup>, and for ease of reference, these Conclusions will be published for information in the C part of the Official Journal.

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<sup>1</sup> Official Journal, C 53/1 of 3.3.2005.  
Official Journal, C 115 of 4.5.2010.

*(...) The **European Council** defined the strategic guidelines for legislative and operational planning for the coming years within the area of freedom, security and justice (see below under Chapter I) and also addressed some related horizontal issues. (...)*

## **I. FREEDOM, SECURITY AND JUSTICE**

1. One of the key objectives of the Union is to build an area of freedom, security and justice without internal frontiers, and with full respect for fundamental rights. To this end, coherent policy measures need to be taken with respect to asylum, immigration, borders, and police and judicial cooperation, in accordance with the Treaties and their relevant Protocols.
2. All the dimensions of a Europe that protects its citizens and offers effective rights to people inside and outside the Union are interlinked. Success or failure in one field depends on performance in other fields as well as on synergies with related policy areas. The answer to many of the challenges in the area of freedom, security and justice lies in relations with third countries, which calls for improving the link between the EU's internal and external policies. This has to be reflected in the cooperation between the EU's institutions and bodies.
3. Building on the past programmes, the overall priority now is to consistently transpose, effectively implement and consolidate the legal instruments and policy measures in place. Intensifying operational cooperation while using the potential of Information and Communication Technologies' innovations, enhancing the role of the different EU agencies and ensuring the strategic use of EU funds will be key.
4. In further developing the area of freedom, security and justice over the next years, it will be crucial to ensure the protection and promotion of fundamental rights, including data protection, whilst addressing security concerns, also in relations with third countries, and to adopt a strong EU General Data Protection framework by 2015.

5. Faced with challenges such as instability in many parts of the world as well as global and European demographic trends, the Union needs an efficient and well-managed migration, asylum and borders policy, guided by the Treaty principles of solidarity and fair sharing of responsibility, in accordance with Article 80 TFEU and its effective implementation. A comprehensive approach is required, optimising the benefits of legal migration and offering protection to those in need while tackling irregular migration resolutely and managing the EU's external borders efficiently.
6. To remain an attractive destination for talents and skills, Europe must develop strategies to maximise the opportunities of legal migration through coherent and efficient rules, and informed by a dialogue with the business community and social partners. The Union should also support Member States' efforts to pursue active integration policies which foster social cohesion and economic dynamism.
7. The Union's commitment to international protection requires a strong European asylum policy based on solidarity and responsibility. The full transposition and effective implementation of the Common European Asylum System (CEAS) is an absolute priority. This should result in high common standards and stronger cooperation, creating a level playing field where asylum seekers are given the same procedural guarantees and protection throughout the Union. It should go hand in hand with a reinforced role for the European Asylum Support Office (EASO), particularly in promoting the uniform application of the acquis. Converging practices will enhance mutual trust and allow to move to future next steps.
8. Addressing the root causes of irregular migration flows is an essential part of EU migration policy. This, together with the prevention and tackling of irregular migration, will help avoid the loss of lives of migrants undertaking hazardous journeys. A sustainable solution can only be found by intensifying cooperation with countries of origin and transit, including through assistance to strengthen their migration and border management capacity. Migration policies must become a much stronger integral part of the Union's external and development policies, applying the "more for more" principle and building on the Global Approach to Migration and Mobility. The focus should be on the following elements:

- strengthening and expanding Regional Protection Programmes, in particular close to regions of origin, in close collaboration with UNHCR; increase contributions to global resettlement efforts, notably in view of the current protracted crisis in Syria;
- addressing smuggling and trafficking in human beings more forcefully, with a focus on priority countries and routes;
- establishing an effective common return policy and enforcing readmission obligations in agreements with third countries;
- fully implementing the actions identified by the Task Force Mediterranean.

9. The Schengen area, allowing people to travel without internal border controls, and the increasing numbers of people travelling to the EU require efficient management of the EU's common external borders to ensure strong protection. The Union must mobilise all the tools at its disposal to support the Member States in their task. To this end:

- Integrated Border Management of the external borders should be modernised in a cost efficient way to ensure smart border management with an entry-exit system and registered travellers programme and supported by the new Agency for Large Scale IT Systems (eu-LISA);
- Frontex, as an instrument of European solidarity in the area of border management, should reinforce its operational assistance, in particular to support Member States facing strong pressure at the external borders, and increase its reactivity towards rapid evolutions in migration flows, making full use of the new European Border Surveillance System EUROSUR;
- in the context of the long-term development of Frontex, the possibility of setting up a European system of border guards to enhance the control and surveillance capabilities at our external borders should be studied.

At the same time, the common visa policy needs to be modernised by facilitating legitimate travel and reinforced local Schengen consular cooperation while maintaining a high level of security and implementing the new Schengen governance system.

10. It is essential to guarantee a genuine area of security for European citizens through operational police cooperation and by preventing and combating serious and organised crime, including human trafficking and smuggling, as well as corruption. At the same time, an effective EU counter terrorism policy is needed, whereby all relevant actors work closely together, integrating the internal and external aspects of the fight against terrorism. In this context, the European Council reaffirms the role of the EU Counter Terrorism Coordinator. In its fight against crime and terrorism, the Union should back national authorities by mobilising all instruments of judicial and police cooperation, with a reinforced coordination role for Europol and Eurojust, including through:
  - the review and update of the internal security strategy by mid 2015;
  - the improvement of cross-border information exchanges, including on criminal records;
  - the further development of a comprehensive approach to cybersecurity and cybercrime;
  - the prevention of radicalisation and extremism and action to address the phenomenon of foreign fighters, including through the effective use of existing instruments for EU-wide alerts and the development of instruments such as the EU Passenger Name Record system.
  
11. The smooth functioning of a true European area of justice with respect for the different legal systems and traditions of the Member States is vital for the EU. In this regard, mutual trust in one another's justice systems should be further enhanced. A sound European justice policy will contribute to economic growth by helping businesses and consumers to benefit from a reliable business environment within the internal market. Further action is required to:
  - promote the consistency and clarity of EU legislation for citizens and businesses;
  - simplify access to justice; promote effective remedies and use of technological innovations including the use of e-justice;

- continue efforts to strengthen the rights of accused and suspect persons in criminal proceedings;
  - examine the reinforcement of the rights of persons, notably children, in proceedings to facilitate enforcement of judgements in family law and in civil and commercial matters with cross-border implications;
  - reinforce the protection of victims;
  - enhance mutual recognition of decisions and judgments in civil and criminal matters;
  - reinforce exchanges of information between the authorities of the Member States;
  - fight fraudulent behaviour and damages to the EU budget, including by advancing negotiations on the European Public Prosecutor's Office;
  - facilitate cross-border activities and operational cooperation;
  - enhance training for practitioners;
  - mobilise the expertise of relevant EU agencies such as Eurojust and the Fundamental Rights Agency (FRA).
12. As one of the fundamental freedoms of the European Union, the right of EU citizens to move freely and reside and work in other Member States needs to be protected, including from possible misuse or fraudulent claims.
13. The European Council calls on the EU institutions and the Member States to ensure the appropriate legislative and operational follow-up to these guidelines and will hold a mid-term review in 2017.
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