

European Commission: Evaluation of the Hague Programme (and Priorities for the Future Stockholm Programme)

On 10 June 2009 the European Commission presented two communications to the Parliament and the Council, evaluating the 2005 Hague Programme and Action Plan (the second multi-annual policy framework for the Area of Justice, Freedom and Security, after the one adopted in 1999 in Tampere) and setting out the priorities for the future Stockholm Programme, to be debated by the European Parliament and adopted by the European Council (under the Swedish presidency) before the end of the year, which will provide a framework for EU action on the questions of citizenship, justice, security, asylum and immigration for the next five years (2010 - 2014).

As stated in the introduction of the basic document on the evaluation of the Hague Programme - **“Justice, Freedom and Security in Europe since 2005: An Evaluation of the Hague Programme and Action Plan”** - doc. COM(2009) 263 fin. of 10 June 2009:

The Hague Programme has been the EU's blueprint for realising its vision in the areas of access to justice, international protection, migration and border control, terrorism and organised crime, police and judicial cooperation and mutual recognition.

The Commission has carefully monitored the implementation of the Programme at EU and Member State level. Individual instruments have been evaluated by the Commission or by Member States through peer reviews. Drawing from these exercises, this communication highlights the principal themes which have emerged, and looks ahead to how the EU should respond to the challenges of the future. Three longer documents accompany the communication: first, a report on the implementation of the programme which details, policy-by-policy, objectives, significant developments and future challenges; second, an 'institutional scoreboard' which provides an overview

of the programme's stated instruments and targets; and third, an 'implementation scoreboard' on implementation at national level.

The references of the accompanying documents are the following:

- **An extended report on the evaluation of the Hague Programme**, doc. n. SEC(2009) 766 fin. of 10 June 2009 [*see p. 97 ff. as regards judicial cooperation in civil matters, and p. 118 ff. for the overall conclusions*];
- General overview of instruments and deadlines provided in the Hague Programme and Action Plan in the fields of justice, freedom and security - **Institutional Scoreboard**, doc. SEC(2009) 767 fin. of 10 June 2009 [*on judicial cooperation in civil matters, see p. 108 ff.*].
- Follow-up of the implementation of legal instruments in the fields of justice, freedom and security at national level - **Implementation Scoreboard**, doc. SEC(2009) 765 fin. of 10 June 2009 [*on judicial cooperation in civil matters, see p. 40 ff.*];

According to the website of the incoming Swedish presidency, the future "Stockholm programme" will be discussed at the informal ministerial meeting in July 2009 and ultimately adopted by EU Heads of State and Government at the Summit in December 2009.

The Commission has already carried on a **public consultation ("FSJ: What will be the Future?")** on the priorities in the field of Freedom, Security and Justice for the next five years, which ended in December 2008 (see the consultation's webpage, with background papers, contributions and results).

Apparently, the Commission has released another preparatory document on the guidelines of the future programme in the Area of Freedom, Security and Justice: in the basic document on the evaluation of the Hague programme - COM(2009) 263 fin., fn. 3 on p. 2 - reference is made in this respect to doc. COM(2009) 262, but on the EUR-Lex database there is currently no document matching these criteria.

Four major (and very broad) priorities are outlined in press release n. IP/09/894, along with a number of examples of specific measures proposed: among them, the complete abolition of *exequatur* for enforcing judgments issued in another

Member State.