

procedural practices more flexible, without affecting the general principles of legal cooperation in criminal matters.

46. Finally, the Group pointed out the need for improving the environment of police cooperation, especially by reinforcing Europol, exchanging knowledge and integrating police file management and security technologies.
- At the moment, the objective of Europol is to improve the fight against organised crime and terrorism whenever two or more Member States are affected. The current transformation of the Europol Convention into the legal framework of the European Council decision will extend the Europol mandate to encompass all forms of serious crime and also to improve its functioning.
 - Europol is to function as a close partner and focal point for national police forces at the European level. The Group proposes that the following measures be considered for the post-Hague Programme:
 - Within its legal framework Europol should be increasingly used and expanded into a centre of competence for technical support.
 - Moreover, Europol should develop its capacity to diffuse intelligence to Member States' police forces. To achieve that aim it is necessary to guarantee that information is transmitted to Europol and used by Member States. The requirement of the so-called "Swedish" framework decision of 18 December 2006, that information is shared, could be fulfilled by means of creating automatic data transfer instruments. At the same time, Europol National Unit (ENU) structures could be made more flexible to provide smoother links between operational services and Europol.
 - Taking into account the external dimension of police cooperation, in the long run a "security partnership" between Europol and Interpol through mutual information and consultation on working programmes should be envisaged.
47. Networking in police cooperation should also be extended. Police activities cover various fields of action particularly in the fight against organised crime and terrorism. The specialists in these different areas regarding criminal activity should share their professional skills and knowledge on a wider level. These specialists, along with Europol, could work together through a network which would help collect specific information that would give the Committee on Internal Security food for thought on internal security strategy.
48. Beyond police cooperation in the strictest sense, the Hague Programme also recommended upgrading information exchanges in order to improve the functioning of crime prevention services in the Member States. In order to achieve a better exchange of information among police services of the Member States, the respective provisions of the Treaty of Prüm, integrated in the *acquis* of the European Union, should be fully implemented.

49. Furthermore, this enhancement is made possible by broadening the range of information that is pooled: the extension of SIS to the new Member States, thanks to SISone4all; the implementation of SIS II, which will be able to integrate biometric data; and that of VIS all marked the increasing role of information systems in police cooperation.
50. The technical management of SIS-, VIS- and Eurodac-type European files could be grouped within a single specific structure for greater efficiency, on the basis of a preliminary evaluation. This structure for security technology could also be given the broader role of guaranteeing that all police files and other technological materials are interoperable.
51. Indeed, beyond the technical aspects of pooling files, security technologies can offer significant possibilities in the area of police cooperation. As is well-known, the entire area of security technology has undergone major developments in the past few years. Efforts must be made to standardise new materials in order to obtain better interoperability, especially in the areas of video surveillance, Internet telephony, and police use of unpiloted aircraft. Sharing certain state-of-the-art materials requiring large investments should be considered when they do not need to be in continuous use. It appears that this sector cannot be managed politically by individual Member States or industrially only by the companies working in this field.
52. Intensified use should be made of means available in the context of the 7th research framework programme (security research programme) for objectives connected with police cooperation, the fight against terrorism, border management and information and communication technology objectives.
53. Some of the proposals relating to networking and integrated management in the security area could be dealt with within the Council Working Group on information exchange.

2.) Fighting global terrorism

54. The European Union should play an active role in the worldwide fight against terror, based on a comprehensive global approach including preventive and repressive elements. In order to provide the greatest possible protection for citizens of the European Union against the terrorist threat, political and legal actions focusing on preventive measures are of special importance in a medium and long-term perspective. In particular, pro-active measures against radicalisation and recruitment must be further developed and implemented, taking into account the potentials of civil society and the economy.
55. Due to the lasting and multi-faceted threats caused by terrorism, common action and the pooling of resources of the Member States of the European Union and European institutions, in line with their competences, are indispensable in the area of counter-terrorism. It is crucial that Member States further intensify their cooperation. In this context, the Group considers it necessary to fully implement and further develop a comprehensive approach

- as laid down in the European Union Counter-Terrorism Strategy, according to up-to-date threat assessments.
56. The intra-European structures dealing with the prevention of and the fight against terrorism should be improved in order to ensure efficient, coherent and speedy counter-action. Thereby, the main responsibility of Member States for the prevention of and the fight against terrorism and the political objective of achieving synergy effects as far as possible need to be combined.
- For example, it should be reflected on how to improve coordination of anti-terrorism policy at European level with a view to closer cooperation of different actors. Coordination will remain fragmentary unless it covers not only the work within the Council but also in relation to the European Commission, Europol, Eurojust and the Joint Situation Centre (SitCen). In line with this, a concept should be developed on the future institutional architecture in this area.
 - Similarly, a dovetailing of the fight against terrorism with civil protection policy should be considered. The European rules on civil protection should facilitate a civil protection response to all major emergencies, including acts of terrorism.
57. The Group suggests asking the European Commission to identify the potential offered by greater cooperation with civil society organisations and to propose appropriate fields and forms of cooperation. Over and above analysing and reacting to radicalisation and recruitment efforts, this could assist the development of active counter-measures by government agencies and civil society to oppose such phenomena.
58. The Internet is increasingly misused by terrorists in various ways, namely for incitement, recruitment purposes or for practical support for potential terrorists. It thereby has become a decisive vector for radicalisation. Checking the Internet is therefore a paramount task. The Group therefore considers that further reflection on possible measures directed against terrorist use of the Internet is indispensable.
59. At the same time, the Group holds that the fight against terrorism itself has to make the most efficient and pro-active use of the Internet with the aim of de-radicalisation. "Cultural intelligence" needs to fight radicalisation over the Internet and the media, thereby especially taking into consideration the special characteristics of "cyber-language".
60. The Group therefore recommends further developing the Media Communication Strategy in the following ways:
- focusing on intercultural dialogue and developing a clear and convincing positive message to different communities in Europe and abroad – possibly even in non-European languages, with regard to European core values of good governance, fundamental rights and safeguarding of peace and freedom;

- challenging the terrorist message and countering the single narrative, *inter alia* making it very clear that terrorist speech leads to further aggression and that terrorist propaganda is not covered by the freedom of speech; and
 - making pro-active use of Internet information fora in this respect.
61. The Group considers it essential to intensify the exchange of best practices between Member States and possibly with third States in order to develop and elaborate legal bases, for example with regard to:
- appropriate measures to fight home-grown terrorism based on current discussions;
 - new and more flexible expulsion and surveillance measures respecting fundamental rights and laws of the Member States;
 - consider, in the context of public international law, the need for international law in the area of police, including the development of international standards on criminal law dealing with acts preparatory to terrorism based on current discussions.
62. Action at national level can only achieve the best results if maximum information flow between Member States is guaranteed. While an exchange of information between national police forces is increasingly seen as common sense, the exchange of information between intelligence services creates a considerable challenge for the European Union. A possible solution for increased synergies between police and security intelligence services at national level is the establishment of networks of anti-terrorist centres in Member States. On the one hand, relevant security-related information should be available to all security authorities in the Member States. On the other hand, this principle of availability collides with the "principle of confidentiality" which is essential for the exchange of information by national intelligence services. Careful consideration is needed regarding the question of whether and to what extent European Union structures could contribute to bringing these divergent interests in line with each other. In this context particular consideration must be given to the role of SitCen.
63. The Group also recommends:
- further improvement of practical cooperation and information exchange between police and judicial authorities, in particular through Europol and Eurojust;
 - intensified use of Europol databases, namely the Europol Information System;
 - intensified cooperation between Europol and SitCen.

64. Special investigative techniques should be placed higher on the agenda of the European Union. As regards video surveillance, further measures should be discussed in the light of pending analyses.
65. Special attention should be paid to the control of explosives, detonators and precursors.
66. Preventing terrorist financing remains a permanent task of Member States and European Union institutions. Therefore, the European Union's strategy to combat terrorist financing should be further developed.
 - Cooperation between Financial Intelligence Units should be enhanced, while a possible future measure could be the systematic monitoring of financial transactions in the Union.
 - Law enforcement agencies responsible for combating terrorist financing should be provided with more efficient legal instruments which might authorise them to use databases such as SWIFT.
67. A responsible and up-to-date European counter-terrorism policy cannot neglect the possible threat of terrorist attacks with nuclear, biological or chemical weapons. It is obvious that this risk confronts all States with an exceptional challenge as regards the prevention of an attack, immediate reaction to an attack as well as the ensuing civil protection and crisis management measures. Existing instruments still need to be improved. Therefore, the European Union needs to further develop and adapt its counter-terrorism strategy in order to fully cover prevention, reaction, civil protection and crisis management, also with regard to CBRN terrorism. This should include proposals on how to improve transport security and better protection against the illegal import of hazardous substances, such as:
 - effective controls of container transport operations entering the EU, including transport checks to avoid the import of radioactive and certain biological and chemical materials;
 - background security checks of transport employees linked to authorisation to access critical infrastructures.
68. In addition, the Group suggests creating a platform or mechanism for sharing information between the Member States' special police units responsible for dealing with current CBRN situations, allowing CBRN units to share best practices in managing such situations, to report on relevant research projects and results, and to participate in each other's CBRN training exercises.
69. The particular positive characteristics of cooperation of third countries with the European Union should be promoted. This refers to the tradition of providing security within the rule of law and democratic structures as well as the diversity of cultural experiences and intercultural competences because of its own multi-ethnicity and its geographical setting.

70. To achieve the increased cooperation that is needed within the Union and with third States and regions, Home Affairs ministers and Foreign Affairs ministers should increasingly act as natural partners.
71. The European Union will inevitably need strong partners to succeed in the fight against terrorism on a global scale. In the same way as Europe, the United States is especially confronted with these threats. Therefore the Group considers close and continuous cooperation with the United States to be indispensable. First of all, this requires a greater understanding of the *de lege lata* situation on both sides. In the medium term, this cooperation should lead to greater convergence, including in the different legal frameworks of data protection. By 2014 the European Union should also make up its mind with regard to the political objective of achieving a Euro-Atlantic area of cooperation with the United States in the field of Freedom, Security and Justice.
72. In this context, the European Union should also deepen the regular dialogue mechanism with the Russian Federation within the framework of the Permanent Partnership Council on security, also including, where appropriate, trilateral meetings with the United States.
73. Intensified cooperation is also needed with States and regions that are considered to be particularly relevant for terrorist structures and activities, either as targets of terrorism or lacking the means to effectively challenge it.
74. The European Union has reached agreement on a common definition of terrorism. However, the global fight against terrorism suffers from the fact that there is no UN-wide common definition of terrorism. The discussions in the United Nations on the UN Comprehensive Convention on International Terrorism need to be continued with the aim of common agreement on a definition. The European Union, the United States, the Russian Federation and other partners should work together towards this objective.

3.) Coordinating third-country missions

75. The recent years have shown three parallel but interdependent developments:
 - inside the European Union, increasing cooperation in the area of security, namely police cooperation;
 - globally, a growing internationalisation of conflict resolution following from the blurriness between internal and external security increasingly requiring engagement abroad;
 - and, as a consequence, a growing political willingness of the European Union to use its weight and capabilities in international conflict situations.
76. This has resulted in an increasing number of third-country missions including a commitment by the European Union to provide police and military forces, civil protection entities and civilian staff in charge of e.g. institution-building, rule-of-

law missions, election monitoring, democratisation, civil society and humanitarian aid. Demands in the operational areas on military and police forces as well as on civil protection and other entities are multifaceted and interlinked: the vast variety of threats ranges from war situations to terrorist attacks, organised crime, violent demonstrations, natural or man-made disasters and usual police tasks.

77. Experience gained up to now has revealed significant shortcomings in the area of cooperation and internal decision-making involving different actors and rather bureaucratic internal rules blocking the European Union from quickly coping with needs and demands of the forces abroad. The following principles should guide future policy and decision-making:
78. A closer link between European police, external and defence policy and consequently a closer correlation between the different policy areas within the European Foreign and Security Policy needs to be established. This would allow for a better use of the expertise and experience of the police in the planning and evaluation of civilian crisis missions. To this end, closer cooperation between different Council structures (General and External Affairs, Justice and Home Affairs) involving a prior consultation as well as a post-evaluation of missions is indispensable. In financial terms we could pool European Union resources for third-country missions to enable the European Union to provide them faster.
79. The increasing variety of threats requires the European Union and others to cope with the overlapping police and military challenges in crisis regions. The mission command needs to be able to respond flexibly, i.e. to be able to call up personnel trained to cope with specific threat situations. Therefore, common robust police forces able to exercise armed law enforcement should be available for third-country missions. To this end, participating Member States could be asked to provide Integrated Police Units for certain missions. Future reflections should also include the integration of the “European Gendarmerie Force” and civilian police units from Member States into the legal framework of the European Union. Common education and training of those forces would be appropriate.
80. In addition, a maximum degree of transparency, coordination and information flow between all actors and structures should be achieved. An even closer correlation and increased mutual use of external, military, security, police, civil protection and development aid expertise could *inter alia* be established through:
 - enhanced and more coherent cooperation between the civilian and military elements through stronger political support for the Civilian Operations Commander – one commander for all missions – and his Civilian Planning and Conduct Capability;
 - missions’ situation centres bringing together all entities participating in the mission - e.g. military, police, rule of law, civil protection entities - on an equal footing;

- fully integrating civil protection assets and capabilities identified by the Member States for civilian crisis management operations into European Security and Defence Policy missions, with setting up infrastructure an important condition for peace and stability.
81. Finally, in relation to police work:
- it should be examined whether and to what extent the police-liaison officer network should be extended and strengthened;
 - consideration should be given as to whether to establish an institutional link between the police missions and Europol to allow for optimal collection of security information gathered in the course of missions abroad relevant to Europol.

Chapter III: Managing Migration, Asylum, External Borders and Integration

1.) Migration policy

82. Migration is an inherent phenomenon in our increasingly globalised societies and economies. In the European Union, many Member States experience growing immigration. Demographic trends will create even more demand for labour immigration. These factors increase the need for further development of a forward-looking, broad and comprehensive common European Migration Policy frequently highlighted by the European Council in its Conclusions during the years 2005-2007. This Comprehensive European Migration Policy should remain a key policy objective in order to meet the challenges and further increase the benefits of migration.
83. Solidarity, mutual trust and responsibility among Member States and between them and the European Institutions are prerequisites for further successful development and implementation of the Comprehensive European Migration Policy. However, differences in needs, conditions and approaches of Member States persist. Nevertheless, these do not need to stand in the way of the further development of the Comprehensive European Migration Policy. Our task is to define a common basis and framework.
84. Increased coordination, cooperation and partnership should be an important component of the post-Hague process. At the same time, the post-Hague Programme should be based on effective monitoring and evaluation, i.e. a thorough analysis of achievements and deficits of the recent programmes and benchmarking with regard to the degree of fulfilment of goals set in these programmes.
85. Well-managed immigration can be beneficial to all. Immigration policies should consider all sides from a multidisciplinary point of view and by minimising losses and maximising mutual benefits while fully respecting national competences. On the basis of the European Commission's Communications on Asylum and Migration tabled in June 2008 and the Immigration Pact announced by the incoming French Presidency, the post-Hague Programme should set out common policy measures in the area of migration. The Group holds that a comprehensive migration policy is, in principle, based on the following interdependent pillars, making the allocation of adequate resources necessary:
- policies for well-managed legal migration;
 - strengthened measures against illegal immigration;
 - increased focus and means to foster positive synergies between migration and development;
 - improved management of the European Union's external borders;
 - integration of migrants; and

- completion of the Common European Asylum System.

In all aspects, cooperation with third countries is essential to ensure progress and results.

86. Citizens of third countries can play a significant economic and social role in the Member States' labour markets while contributing to sustainable development in their countries of origin. In order to maximise positive effects of legal migration for the benefit of all, i.e. countries of origin and destination as well as the migrants themselves, innovative approaches are needed. The overall aim must be to ensure that people migrate out of choice rather than necessity. This demands a broad, balanced and long-term approach. A key aspect in this process is fostering bilateral, regional and international cooperation and dialogue in the formulation and implementation of European Union migration policies.
87. The prerequisite for such legal migration is a demand for specific qualifications on the labour markets of the Member States on the one hand and a supply of workers from third countries possessing such qualifications on the other. Labour markets and social systems do differ in each Member State. Thus each Member State should retain responsibility for managing its labour market and determining volumes of admission of immigrants coming to their territory for work purposes. It is important that common European Union measures for labour migration should be demand-driven from a Member State perspective, and based on the principle of subsidiarity as well as on the principles of non-discrimination and equal rights.
88. Based on these principles, the post-Hague Programme should, amongst other important considerations, take into account the following – non-exhaustive – aspects and proposals in the area of migration policy:
 - Member States should fully exploit all possibilities of **intra-European economic migration**.
 - **Legal migration** should be treated *inter alia* from the perspective of the Lisbon Strategy and demographic developments in Europe: migration management and broader possibilities for third-country nationals to participate legally in the Member States' labour markets can play a role in achieving the objectives of the Lisbon Strategy, in easing the negative repercussions of demographic ageing, as well as in preventing illegal migration and associated criminal activities, such as smuggling, trafficking in human beings and labour exploitation.
 - Increased efforts to curb **illegal immigration** and, in particular, to prevent illegal employment which often leads to human exploitation remain important. A more effective and coordinated European return policy should be established. Harmonised rules for effective return procedures and decisions in Member States are needed which fully respect and guarantee human rights.

- General regularisations of illegally staying third-country nationals should be avoided, given the absence of internal border controls. Increased exchange of information between Member States and consistent use of the consultation mechanism prior to Member States adopting decisions on regularisation must be ensured in the future. However, in the future, regularisations in exceptional circumstances and with individual case-by-case approach could be acceptable. This is without prejudice to the negotiations within the framework of the European Pact on migration and asylum.
- Recognising the complementary linkage between immigration and integration, the Group considers **integration** to be one of the key elements for tackling migration and migration-related challenges. Successful management of the consequences of the influx of migrants for the receiving societies is often closely linked to the level of integration reached in the Member State, and integration potential is a prerequisite for legal long-term immigration. Integration policy is therefore an integral part of legal migration policy.
- Taking into account the fact that integration takes place in the local community or at regional level and the different conditions and approaches in the Member States, the Group supports that integration policies remain within the competence of Member States also in the future.
- As a complement to national integration policies, the Group proposes the following measures at the European level:
 - The regular dialogue and the exchange of best practices among Member States at European Union level within the common framework defined by the Council in December 2005 and June 2007 should be enhanced, while further action directed at strengthening this framework and developing the common agenda should be considered. This dialogue could include an exchange on the modules Member States have developed on certain aspects of integration, such as language or political institutions.
 - Respecting the different national approaches, a set of common minimum standards and requirements of both the immigrant and the Member State should be further implemented. A balance between the immigrant's rights and obligations must be found. The immigrant's personal responsibility and his own initiative in the process of his or hers and their family's integration need to be strengthened. Legitimate requirements of the receiving society have to be considered.
- The Group also holds that **intercultural exchanges** for better understanding, trust and ultimately solidarity should be extended. Exchange of best practices on existing national initiatives for an intercultural dialogue should be intensified.

- The Group proposes to set up and develop a European Union website for public information on integration as well as on intercultural dialogue.
- Efforts to promote **policy coherence** between migration and other relevant policy areas, especially development policies, in line with the European Union's broad agenda for Policy Coherence for Development, are crucial to the successful development of the Comprehensive European Migration Policy. Mechanisms to promote synergies and to identify and reconcile conflicting interests and goals between migration and development - and other policy areas such as foreign policy, international trade, peace and security, and the environment - should be explored and implemented.
- With regard to the **Global Approach to Migration**, an integrated approach should be applied. Dialogue, cooperation and partnership with countries of origin and transit should be deepened and broadened in terms of both actions and resources in a fully balanced manner.
- Consideration should be given to increased use of the instrument of mobility partnerships. The concept of mobility partnerships is based on an equitable "give and take" and utilises the economic potential of legal migration for the benefit of countries of origin as well as of those of destination while strengthening its development policy relevance. It thereby creates incentives for third States to cooperate more closely with the European Union in fighting illegal migration and efficient returns. Possible elements could be personnel and financial help in setting up of capacities, promotion of circular migration, academic cooperation or a link with development aid considerations.
- The concept of "circular migration" should be further developed, in particular in the context of closer cooperation and partnerships with third countries, in order to promote the positive development aspects of migration for countries of origin and destination whilst minimising negative effects such as "brain drain." In particular, consideration could be given to developing a system for transmitting the disbursement of pension or other social contributions to the country of origin, in order to allow migrants to keep their social benefits when returning to their home country, thereby making circular migration more attractive.
- Multilateral as well as bilateral partnership approaches between Member States and third countries should take into account new ideas to improve a deeper linkage between better management of migration, improvement of return policies and temporary or circular migration schemes. This may include offering incentives to third countries, like the admission of structured circular migration in relation to proved readmission of illegal immigrants. This kind of incentive could make developing third countries interested themselves in succeeding with reintegration and readmission policies.
- Information campaigns in countries of origin and transit are an important aspect in view of increased legal mobility between the European Union

and partner countries as well as being relevant to reduce the number of illegal migrants. Detailed information about legal possibilities of migration as well as possible consequences of illegal immigration may contribute significantly to the management of migration.

- Finally, current **financial instruments** should be evaluated and further developed according to new needs.

2.) Asylum policy

89. A certain degree of harmonisation in the area of asylum has been achieved since 1999. However, the existing common minimum standards agreed at EU level, which leave the Member States a wide margin of discretion in their application, have not led to a level playing field and do not guarantee equality of protection across the EU. In a common space based on the respect of fundamental rights, it is not admissible that the national application of one of them, the right to asylum, varies so much between the Member States.
90. One of the constituent parts of the Area of Freedom, Security and Justice is a **Common European Asylum System** (CEAS). Its framework shall be based on the Geneva Convention. Its objective is to achieve common eligibility criteria for protection, common procedures for applying those criteria and a common status valid throughout the Member States. In order to achieve this and to reduce the differences between decisions taken by the Member States, it is necessary to continue with further harmonisation of the legislation in the field of asylum even after 2009, based on evaluation of the current legislation. This should be accompanied primarily by enhanced practical cooperation.
91. The challenge in devising a Common European Asylum System is inevitably intertwined with the wider issue of migration. The Union has to continue to provide secure borders and prevent illegal immigration at the same time as ensuring that those with a genuine right to asylum are able to claim it.
92. A Common European Asylum System requires a common legal framework with a series of uniform norms and standards. Procedural rules must be shaped on the basis of the principle of effectiveness while at the same time there must be assurance that it does not result in lowering the existing standards of protection.
93. The examination of asylum applications should remain at national level and every application should be examined individually. A coherent application and interpretation of the common rules must be ensured. The European Court of Justice must be granted sufficient means to be able to meet the requirements for swift processing.
94. Increasing practical cooperation between the Member States is a very important step towards a Common European Asylum System. This may involve common training courses, coordination of special measures, exchange of information and best practices, resettlement measures, administration of a common portal on country-of-origin information, etc. Closer cooperation will

lead to more equal treatment of asylum seekers and a more coherent approach to the processing of their asylum applications. The role of the **European Support Office** in coordinating such practical cooperation is essential.

95. An increase in the efficiency of the Dublin Regulation remains a challenge for all participants. Findings that emerge in the evaluation of the Dublin and Eurodac Regulations must be taken into account. The Dublin system is one of the cornerstones of a Common European Asylum System. A clear definition of the responsibilities of the Member States in processing asylum applications is indispensable, both for the asylum seeker and the Member States. Equally, on the basis of the evaluation of the current financial instruments financial solidarity solutions could also be further examined.
96. Increased emphasis on the external dimension of asylum policy is important. It is necessary to devote ourselves more intensely to the situation in the countries of origin and link the Common European Asylum System with humanitarian and development programmes in the third countries. Such a link should be systematic and should form a global approach to migration and asylum policies.
97. A **common asylum policy** cannot focus only on the asylum seekers who apply for asylum in a Member State. The European Union has a strong interest in maintaining the international refugee protection regime and should be a key player at the international level. Strengthening its partnership with UNHCR should be one of the means to carry out this endeavour. In this context cooperation with transit States should be enhanced, especially by using Regional Protection Programmes.
98. The concept of **Regional Protection Programmes (RPP)** should, on the basis of evaluation, be developed and if necessary redesigned, in order to ensure their added value as a strategic complement to other forms of humanitarian support and capacity building.
99. A **common resettlement instrument** should be created. Resettlement programmes should be used strategically to complement and encourage additional durable solutions in host countries (local integration) and countries of origin (return) and thereby ultimately contribute to solving protracted refugee situations. If all Member States could contribute to a common programme, we could attain the volumes necessary to achieve a strategic impact. The common resettlement scheme should be based on existing experience and best practices among the Member States and should lead to increased resettlement potential in the European Union.

3.) Modernising the Schengen border and visa approach

100. The Schengen system was established in the 1990s to achieve free movement of people as a necessary complement to the realisation of the internal market.
101. With the abolition of border controls between most of the Member States, the European Union has reached a historical landmark. The free movement of persons and goods is an achievement that finally put an end to the post-war period and the overall objective must be to preserve the integrity of the Schengen area while continuing to expand it.
102. The Schengen system, though still functioning well, needs to be continuously modernised and adapted to new political and technological challenges.
103. There is a need for a well-functioning balance between the desired free movement within Europe and a state-of-the-art border control system that combats illegal migration, organised crime and terrorism efficiently and with modern means. New technologies, hand in hand with well-trained border guards, must play a central role in border management. As a complement, adequate data protection tools are necessary. It is necessary to launch a transparent public debate to raise awareness of the advantages of increased use of information and communication technologies.
104. Checks and controls at the external borders should be as efficient and customer-friendly as possible. To achieve these aims, an “E-Border” concept on the basis of current reflections by the Commission should be established in the course of the post-Hague programme period. Bearing in mind the border package presented by the Commission on 13 February 2008, which aims to develop the integrated Border Management Strategy of the European Union in a comprehensive way, taking into account the possibilities offered by new technology, in particular the use of biometrics, action should be taken on:
 - a registered traveller’s programme; travel opportunities for certain groups of third-country nationals to the European Union should be facilitated;
 - an Electronic System for Travel Authorisation;
 - an entry/exit system for third-country nationals;
 - automated border control systems for European Union nationals, to speed up passenger flows.
105. Additional measures should be considered under the new Programme in order to develop security and smoother border control:
 - develop the European Border Surveillance System (Eurosur);
 - checks and controls at the external borders should be as efficient and customer-friendly as possible. A one-stop approach integrating all checks and controls carried out for different purposes, i.e. relating to persons,

goods, veterinary and phyto-sanitary, pollution, terrorism and organised crime, would contribute to this objective. In order to generate synergies and thereby added value, border and customs controls could be gradually merged.

106. Hand in hand with the facilitation of border controls, visa-issuing procedures should become more efficient. To this end the establishment of Common Visa Application Centres in third countries should be stepped up, and uniform European Schengen visas should be issued.
107. Border and visa policies should be treated as parts of a holistic approach linking specific progress/measurable benchmarks to the decision as to whether to abolish visa requirements vis-à-vis third States with the prospect of access or vis-à-vis neighbouring countries. This would encourage the development of more secure structures at an early stage and accelerate cooperation with Member States.

4.) Further developing Frontex

108. Several factors linked to globalisation and technological progress, as well as to Europe's economic development, contribute to the fact that the European Union is increasingly becoming a region of destination for worldwide migration, organised crime and international drug trafficking, and a target of terrorist attacks.
109. These developments increasingly require coordination and – where appropriate – implementation of security policies at EU level. In this context, Europol and Frontex have to cooperate closely with the national (border) police forces. Nevertheless, there are widely differing views on how far European agencies should be strengthened.
110. With regard to the – still young – Frontex agency, the Group recommends a step-by-step approach.
111. There are, however, several far-reaching measures that can be recommended in order to give Frontex the central role it needs to efficiently contribute to its functioning as the European focal point for integrated border issues.
112. Experience to date shows that successful operational missions led by Frontex depend on a clear legal framework as well as close links to Member States' border forces. The operational capacity of Frontex in the area of border control needs to be further developed:
 - the success of Frontex missions to date is undermined by the lack of precise legal provisions on, for example, the regime governing Frontex measures with regard to e.g. sovereign action executed by national ships or planes and responsibilities for refugees, asylum seekers and castaways. Therefore, priority should be given to the development of such common rules.