

# CHALLENGE

## Liberty & Security

*The Changing Landscape of European Liberty and Security*



Universiteit Utrecht

## Democratic Control & Judicial Accountability in an Area of Freedom, Security & Justice

**4<sup>TH</sup> Annual Conference of the CHALLENGE Project**

**4th, 5th & 6th July 2007**

**Venue: Centre for European Policy Studies (CEPS)**

Conference Room

Place du Congrès 1, 1000 Brussels

Although a majority of the Member States has ratified the draft Constitutional Treaty, which would provide a clear new institutional framework for the EU, its future has just been resolved at the end of June. The construction of an Area of Freedom, Security and Justice represents an important example where an improved institutional framework is desirable not only to improve coherency and transparency of the decision-making processes, but also in order to enhance the degree of democratic control and judicial accountability applying to these policies. Will the new framework foster confidence on the part Europe's citizens in an environment of freedom? The 4<sup>th</sup> Annual Conference of the CHALLENGE project (Changing Landscape of European Liberty and Security) will address these and other issues closely related to the role played by democratic oversight and judicial control at the European and national levels towards the building of a common European space of Freedom, Security and Justice.

The event will include presentations examining the way in which current institutional mechanisms, bodies and procedures applicable to these policy areas have an impact on the changing relationship between freedom and security. At the heart of these discussions are the implications of new security policies for individual liberties.

The CHALLENGE project is funded by the Directorate General for Research of the European Commission. It seeks to facilitate a more responsive and responsible assessment of the rules and practices of security, and it examines the implications of these practices for civil liberties, human rights and social cohesion in an enlarged Europe. Some 23 universities and research centres from all across Europe participate in the project.

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**CHALLENGE, *The Changing Landscape of European Liberty and Security***  
[www.libertysecurity.org](http://www.libertysecurity.org)



*Democratic Control & Judicial Accountability in an AFSJ*

## CONFERENCE PROGRAMME

### 4 JULY 2007

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13:00 – 14:00 Buffet lunch

14:00 – 14:45 Welcome by **Daniel Gros** (Director, CEPS) and **Elsbeth Guild** (CEPS & Radboud University of Nijmegen)

**Keynote address:** *The Institutional Framework of an AFSJ: Democracy and Justice in the EU*  
**Baroness Sarah Ludford** (MEP and Vice-Chairwoman of the European Parliament's Human Rights Sub-Committee)

14:45 – 15:00 Coffee Break

15:00 – 17:00 **THE CHANGING LANDSCAPE OF EUROPEAN LIBERTY AND SECURITY:  
PRESENTATION OF CHALLENGE PROJECT'S THE MID-TERM RESULTS**

*Chair: Leonard Besselink (University of Utrecht)*

**Didier Bigo** (Sciences-Po)

**Elsbeth Guild** (CEPS and Radboud University of Nijmegen)

**Rob Walker** (Keele University)

**Sergio Carrera** (CEPS)

**Discussants:**

**John Crowley** (UNESCO) TBC

**Bronisław Geremek** (MEP) TBC

**Emmanuelle Bribosia** (ULB)

**Catelene Passchier** (ETUC)  
(European Commission) TBC

17:00 – 17:30 Open discussion

### 5 JULY 2007

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09:00 – 09:30 Registration

09:30 Welcome & opening remarks by **Elsbeth Guild** and **Leonard Besselink** (University of Utrecht)

09:45 – 11:00 **PANEL I. THE EU INSTITUTIONAL FRAMEWORK IN AN AFSJ: WITH OR  
WITHOUT A CONSTITUTION?**

*Chair: Leonard Besselink*

**Stavros Lambrinidis** (MEP and Vice-Chairman of the Committee on Civil Liberties, Justice and Home Affairs)

**Jorge Bento Da Silva** (Portuguese Permanent Representation to the EU) TBC

**Alexander Alvaro** (MEP), *The Prüm Treaty and its institutional and constitutional challenges for the AFSJ*

**Nikos Scandamis** (University of Athens), *The issue of security in a Union without pillars*

**Rob Walker** (Keele University), *A theoretical perspective*

11:00 – 11:30 Open discussion



**Democratic Control & Judicial Accountability in an AFSJ**

11:30 – 11:45 Coffee break

**11:45 – 13:00 PANEL II. JUDICIAL COOPERATION IN CRIMINAL MATTERS, THE ROLE OF COURTS AND THE RIGHTS OF THE INDIVIDUAL**

*Chair: Kees Groenendijk (Radboud University of Nijmegen, Centre for Migration Law)*

**Lorenzo Salazar** (European Commission, DG JLS) *Latest developments on judicial cooperation in criminal matters in the EU: Some prospects for the future*

**Valsamis Mitsilegas** (University of London), *The constitutional implications of mutual recognition in criminal matters in the EU*

**Hans Nilsson** (General Secretariat of the EU Council), *Institutional challenges for the Europeanisation of judicial cooperation in criminal matters and the role of national courts and the ECJ*

**Florian Geyer** (CEPS), *Putting an end to the debate? The ECJ's judgment of May 2007 on the European arrest warrant*

**Judit Tóth** (Szeged University), *Judicial cooperation in criminal matters in the context of enlargement*

13:00 – 13:30 Open discussion

13:30 – 15:00 Buffet lunch

**15:00 – 16:30 PANEL III. THE FUTURE OF THE 3<sup>rd</sup> PILLAR STRUCTURE IN THE EU: ANOTHER FORM OF FOREIGN POLICY**

*Chair: Sergio Carrera (CEPS)*

**Wouter Van De Rijt** (General Secretariat of the EU Council), *The external dimension of the common EU policy on criminal justice*

**Emilio de Capitani** (European Parliament),

**Elsbeth Guild** (CEPS & Centre for Migration Law), *Examining the foreign policy implications of the fight against illegal immigration*

**Vivienne Jabri** (King's College London), *Locations of rights in the context of war and counter-terrorism*

**Wolfgang Wessels** (University of Cologne), *Changing landscape of "security" concepts and Leitbilder within EPC and CFSP*

16:30 – 17:00 Open discussion

## 6 JULY 2007

9:00 Registration

**9:30 – 10:30 PANEL I. THE RELATIONS OF EUROPEAN AGENCIES IN THE FIELD OF SECURITY AND JUSTICE**

*Chair: Sergio Carrera (CEPS)*

**Michael Kennedy** (President, Eurojust), *Eurojust – latest developments and co-operation with other agencies at national, European and international level*  
(Europol), *Europol – latest developments and co-operation with other agencies at national, European and international level* TBC

**Isabelle Delattre** (European Commission), *Institutional cooperation in the fight against terrorism and the role of Europol, Eurojust and other European bodies: Prospects for a future European policy*

**Didier Bigo** (FNPS), *Understanding the transnational field of security professionals*

10:30 – 11:00 Open discussion

11:00 – 11:30 Coffee break



*Democratic Control & Judicial Accountability in an AFSJ*

11:30 – 12:30 **PANEL II. COOPERATING IN THE FIELD OF EXCHANGE OF INFORMATION INSIDE THE EU: PRÜM AND THE PRINCIPLE OF AVAILABILITY**

*Chair: Leonard Besselink (University of Utrecht)*

**Jacques Verraes** (European Commission, DG JLS), *The exchange of information in the field of security in the EU: Prüm and the principle of availability*

**Willy Bruggeman** (Belgian Federal Police Committee and Benelux University Centre), *Exchange of information between law enforcement agencies within the EU: Efficiency, effectiveness and democratic control in balance?*

**Nathalie Pensaert** (Council of the EU), *The conversion of the Prüm Treaty into a Council Decision and the exchange of information in the field of security in the EU*

12:30 – 13:00 Open discussion

13:00 – 14:00 Buffet lunch

14:00 – 15:30 **PANEL III. TECHNOLOGIES OF SURVEILLANCE: THE IMPACT ON THE INDIVIDUAL**

*Chair: Didier Bigo (FNISP)*

**Joaquin Bayo Delgado** (European Data Protection Supervisor), *The impact of the use of technologies in the field of security and the implications for the protection of the individual*

**Frank Paul** (European Commission, DG JLS), *The use of technology in the European security policy: The prospects for the future and the benefits for the citizen*

**Emilio Mordini** (Centre for Science, Society and Citizenship), *Between categorisation and individualisation: Why biometrics deserves attention*

15:30 – 16:00 Open discussion

16:00 – 16:30 Coffee break

16:30 – 17:30 **PANEL IV. DEMOCRATIC AND FINANCIAL CONTROL IN THE EU'S AFSJ**

*Chair: Joanna Apap (European Parliament)*

**Sophie In't Veld** (MEP), *The democratic and financial control in an Area of Freedom, Security and Justice: What role for national and European parliaments?*

**Morten Louis Levysohn** (Court of Auditors), *The role of the European Court of Auditors in the financial control of EU internal policies, including the area of Freedom Security and Justice*

**Franz-Hermann Brüner** (OLAF), TBC

**Anneliese Baldaccini** (Advisor to the UK House of Lords EU Select Committee), *The EU Select Committee of the House of Lords: Contributing towards democratic control in the AFSJ*

**Juliet Lodge** (University of Leeds), *The role of national parliaments in the EU's AFSJ and the security policies on new technologies*

17:30 – 18:00 Open discussion

**End of conference**